

Community Input Meeting Minutes
For the Proposed Village at Forest Lakes
Forest Hill, Harford County, Maryland

The following is a summary of the Community Input Meeting for the above-referenced project, which meeting was held on Thursday, February 21, 2008, at 6:00 p.m. in the 2nd Floor Conference Room at the Department of Planning & Zoning, County Administrative Building at 220 South Main Street in Bel Air, Maryland 21014.

In attendance: Joseph F. Snee, Jr., Esquire
Gessner, Snee, Mahoney & Lutche, PA
Suzanne M. Turner, Paralegal
Gessner, Snee, Mahoney & Lutche, PA
Penny Comeau, Court Reporter from Bel Air Reporting
Mr. Tory Pierce, Frederick Ward Associates
Mr. Ed Steere, Frederick Ward Associates
Mr. Howard Klein, Owner
Attendees –see sign-in sheets;

Meeting opened at 6:00 p.m.

Mr. Snee introduced himself and the other participants to the attendees and briefly summarized the CIM process, including the requirements for same. Mr. Snee also briefly acknowledged the change in plans for the site. Mr. Klein then explained the reasons behind the change and how the Kohl's project came about. Mr. Steere then summarized the subject proposed development and the meeting was then opened to the attendees for questions. The following items were noted from the discussion:

- A number of traffic issues were discussed:
 - The attendees noted their concerns with regard to the increase in vehicular and tractor-trailer traffic. An attendee pointed out that Kohl's deliveries are made mostly at night. Messrs. Steere and Pierce explained that the entrance points on this plan are exactly the same as they were on the ICSC plan and approved by State Highway. A traffic study was done for the ICSC proposal and will be updated based upon the new plan. Changes will be made to the identified roadways based upon recommendations from that report. The report will include Saturday evaluations and will be done prior to approval of the subject plan by the County.
 - A major concern raised by the attendees was the safety of the children who walk to the Forest Lakes Elementary School, both as to the traffic that would be brought closer to the school as well as the concern that this would be an attraction

that would draw the children who were unattended by adults closer to traffic. Mr. Snee noted that there are crossing guards at the school during the hours which the children are walking to the school.

- Peak time traffic backups were also raised as an issue and additional traffic lights were requested. Mr. Snee advised that the traffic issue would be addressed by the traffic study and Mark Redmond at State Highway Administration would be responsible thereafter for determining further requirements. A traffic light is not something that can just be put in without SHA making the determination that it is needed.
- A concern was also raised as to what type of security would be put in. One resident/attendee advised she currently can wake up at 3 or 4:00 a.m. and hear skateboarders grinding. She believed this would be a "breeding ground" for them as well as all the gangs that are coming into Bel Air. Mr. Snee advised that while that is an issue they, nor any other shopping center, cannot rule out, signs would be posted and violations would then become a law enforcement issue.
- The attendees also raised the concern that this meeting was not advertised like the prior community meeting held by the Klein's. Mr. Snee reiterated the requirements of the law as it relates to advertising of the Community Input Meetings and advised that all such requirements were met. He advised that the extra step of notifying every single association within Forest Lakes was taken, but that he cannot control how those associations chose to deal with their members. Mr. Snee further advised that while the property was posted, as required by law, those signs had to be replaced a number of times as they were either defaced or missing altogether. Mr. Klein advised that this is a different process altogether than the last meeting was.
- A majority of the attendees voiced disappointment in the plan presented as it compared with the plan they were previously presented with, one with more "upscale" shops. They felt this plan did not "live up to" the prior plan and were disappointed with his choice to now proceed with a "box store". Mr. Klein explained to the attendees that the financial climate is very different now than it was when he made the initial presentation and that this was a better financial decision. He explained the difficulties in getting restaurants, maintaining leases, obtaining liquor board approvals, etc.
- The attendees requested another meeting be held by Mr. Klein held as a courtesy to the neighborhood to discuss the specifics of the plan as they believed their input at the DAC meeting would be too late.
- Mr. Pierce confirmed they are not proposing to change the location of the Forest Lakes sign and Mr. Steere confirmed they are not proposing to change the trail location and that there is a sidewalk on the plan.

- Mr. Klein confirmed his belief that fast food is a permitted use in B2, but confirmed the plan not show any fast food stores on the site. At this time a Starbucks will likely be in one of the pad sites.
- The parking shown was questioned as to whether it would be enough and Mr. Steere advised that the parking shown for the Kohl's site actually exceeds what is required. Mr. Pierce then summarized the three phases of development as it is expected to occur, the Kohl's would be first, then the Starbucks and then Phase III would be the remaining pad site which is located near the corner of Osborne Parkway and Rt. 24.
- An attendee questioned why the Kohl's would be a two-story building and Mr. Klein advised that was solely a decision made by Kohl's, to maintain their parking ratios. She also questioned whether any input had requested from the school and Mr. Snee advised they were given notice of the meeting. They have not commented.
- Mr. Steere advised the attendees that there is a plan for an 8 ft. vinyl fence along the rear of the property. He further advised that there would be minimal security lighting at night. Also, that a Home Depot or Lowes could not be on that site due to outside storage issues.
- The issue of stormwater runoff was also raised and Mr. Klein advised that the management facility currently there was built by the Board of Education in the early 1990's and is sized to accommodate both the school site and the subject site. It is maintained by the Board of Education, but there is a joint maintenance agreement between the Board of Education and the partnership that owns the subject property.
- The attendees inquired as to the timing of construction and Mr. Snee assured the attendees that as much as possible would be done to minimize impact of construction upon the residences and the school.
- The issue of whether this plan fits into the County's Master Land Use plan was raised and Mr. Snee responded that the 2004 plan is currently in effect and that the B2 zoning is consistent with the underlying uses in that Master Land Use Plan. Mr. Steere confirmed that Forest Hill is identified as a neighborhood center to serve commercial uses to serve the rural area in this immediate vicinity.

A copy of the transcript will be filed with this summary with the Department of Planning & Zoning.

The meeting was adjourned at apx. 7:48 pm

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| 1 | COMMUNITY INPUT MEETING | 1 | 1 | PROCEEDING | 2 |
| 2 | | | 2 | MR. SNEE: Good evening, everyone. My name is Joe | |
| 3 | IN THE MATTER OF: | | 3 | Snee from the Law firm of Gessner, Snee, Mahoney and Lutche | |
| 4 | KOHL'S (Forest Hill) | | 4 | right here on South Main Street in Bel Air. | |
| 5 | | | 5 | Tonight with me is Penny Comeau, our court | |
| 6 | * * * * * | | 6 | reporter. Penny is from Bel Air Reporting. We have to | |
| 7 | | | 7 | provide a summary of this Community Input Meeting to the | |
| 8 | The above-captioned meeting was held on February | | 8 | Department of Planning and Zoning, and we found it is just | |
| 9 | 21, 2008 commencing at 6:00 p.m. at the Planning and Zoning | | 9 | easier to do with a court reporter. So, at the particular | |
| 10 | Conference Room, 220 South Main Street, Bel Air, Maryland. | | 10 | time when you are asking a question, if you would state | |
| 11 | | | 11 | your name, your address, Penny will take that down and then | |
| 12 | * * * * * | | 12 | ask your question at that time. | |
| 13 | APPEARANCES: | | 13 | With me from my office is Sue Turner over here, my | |
| 14 | JOSEPH SNEE, ESQUIRE | | 14 | Legal assistant; Mr. Tory Pierce, Mr. Ed Steere, from Fred | |
| 15 | Gessner, Snee, Mahoney and Lutche | | 15 | Ward Engineering, our consulting engineers, and Mr. Howard | |
| 16 | 11 South Main Street | | 16 | Klein, one of the owners of the property owned by the Klein | |
| 17 | Bel Air, Maryland 21014 | | 17 | family. | |
| 18 | On behalf of the Applicant | | 18 | In May of 2007, the County Council enacted with the | |
| 19 | | | 19 | approval of the Harford County Executive the so-called | |
| 20 | | | 20 | Community Input Meeting law or CIM for short, and what it | |
| 21 | Reported by: Penny L. Comeau | | 21 | required developers to do is to meet with the community that | |

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| 1 | is adjacent to the proposed project to solicit input | 3 | 1 | don't look a lot alike and we are the first to | 4 |
| 2 | from the community prior to going to what we call the D.A.C. | | 2 | acknowledge that. | |
| 3 | process, the Development Advisory Committee process, which | | 3 | We thought it would be best to describe why it is | |
| 4 | meets in this very room for what we call preliminary plan | | 4 | the business model changed before we get to the actual | |
| 5 | approval. | | 5 | merits of the site and, to do that, I have asked Mr. Klein | |
| 6 | The law that is relatively new, seven or eight, | | 6 | on behalf of his family to just summarize that, and I will | |
| 7 | nine months on the books and, in order to get to this, we | | 7 | have Howard come up and do just that. | |
| 8 | have to follow fairly stringent requirements set out by the | | 8 | We are still making sure that you sign in tonight. | |
| 9 | ordinance which includes posting the property, advertising | | 9 | Sue Turner has our sign-in sheet. Please sign because we | |
| 10 | it in the newspaper, notifying immediately adjacent property | | 10 | have to provide to the Department of Planning and Zoning who | |
| 11 | owners, and then scheduling it for a nearby location. | | 11 | was in attendance and, after we are done, we will provide a | |
| 12 | Hence, we are here. | | 12 | summary of tonight's hearing to you as well for any | |
| 13 | What we will be doing is having Mr. Ed Steere and | | 13 | follow-up activities that you may have. Certainly feel free | |
| 14 | Mr. Tory Pierce describing the proposed project which | | 14 | to call my office and ask for myself or Sue Turner if you | |
| 15 | involves three buildings in a little bit greater detail. | | 15 | have anything that you wish to ask us and we can get you in | |
| 16 | Before we got to that point, we felt an obligation | | 16 | touch with the appropriate people if we can't answer it. | |
| 17 | to go back in time and talk about the plan that was | | 17 | Again, my name is Joe Snee, S-N-E-E. My number is | |
| 18 | previously shown to the community and how we got to what was | | 18 | 410-893-7500, and we welcome the opportunity to meet with | |
| 19 | shown previously on an informal basis to what we are | | 19 | you tonight and go through the process which is just really | |
| 20 | proposing now through the community input process because, | | 20 | the beginning and certainly not the end. I will turn it | |
| 21 | obviously, what was shown before and was shown today, they | | 21 | over to Mr. Howard Klein right now. | |

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| <p>1 MR. KLEIN: All right. So, the big question 5</p> <p>2 probably burning in many of your minds is why did we change</p> <p>3 the plan. How did we get from an ICSC to a Kohl's in two</p> <p>4 pad sites.</p> <p>5 To take you sort of back in time in the process, we</p> <p>6 submitted a site plan for an ICSC sometime in the fall of</p> <p>7 2007 -- six. I'm sorry. We filed a petition for the</p> <p>8 Hearing Examiner for ICSC approval which is a special</p> <p>9 exception permitted under the Zoning Code in the B-2 zone.</p> <p>10 The hearing took substantially longer than we</p> <p>11 thought it would. There were a few protestants, not a great</p> <p>12 many, but there were a few. We went through several nights</p> <p>13 of hearing which ultimately culminated with a final hearing</p> <p>14 sometime, if I am not mistaken, late January.</p> <p>15 It took several more months for us to get a</p> <p>16 decision. In fact, we didn't receive a final decision on</p> <p>17 the petition for an ICSC until March of 2007.</p> <p>18 At that point, we had to wait 30 days for the</p> <p>19 County Council to determine whether or not there would be an</p> <p>20 appeal of the decision by the Hearing Examiner or whether or</p> <p>21 not they would ratify the decision made by the Hearing</p> | <p>1 Examiner. They did ratify the decision. So, at that 6</p> <p>2 point in time, we are into April of 2007 when we know we</p> <p>3 have the Special Exception to go forward with an ICSC plan.</p> <p>4 So, we began the process of marketing the site with</p> <p>5 an ICSC overlay on a B-2 zone, and my brothers and I</p> <p>6 actually began touring different community shopping centers</p> <p>7 in the Baltimore, Annapolis and Washington Markets looking</p> <p>8 at different design concepts. Simultaneously, we began</p> <p>9 soliciting for letters of intent.</p> <p>10 We have a fair amount of interest for what we</p> <p>11 consider to be the in-line space, the two-story and</p> <p>12 one-story in-line space. Where we were struggling with the</p> <p>13 project was in finding restaurant users, and I know there is</p> <p>14 a tremendous interest in restaurants in Harford County and</p> <p>15 it seems like on Friday and Saturday nights you can't get</p> <p>16 into a restaurant, but we weren't getting any firm letters</p> <p>17 of intent from any of the restaurant users.</p> <p>18 Notwithstanding the fact that we didn't have strong</p> <p>19 interest for the restaurant court, we began costing out the</p> <p>20 project. We hired a company called Chesapeake Contractors.</p> <p>21 We gave them what we felt were fairly close specifications</p> |
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| <p>1 as to the exterior finish and the amount of design 7</p> <p>2 that we wanted in the center, and the level of landscaping,</p> <p>3 paving, brick finishes, color finishes. So, we went pretty</p> <p>4 far down the road with the ICSC concept to the point where</p> <p>5 we actually got a preliminary bid back from our General</p> <p>6 Contractor. This was sometime around the middle of July.</p> <p>7 Out of the blue, without any solicitation on our</p> <p>8 part, we were approached by the broker representing Kohl's</p> <p>9 which surprised us because four years before we had marketed</p> <p>10 the site for a single use pad site, and one of the companies</p> <p>11 that we had spoken to was Kohl's, and they expressed at that</p> <p>12 time no interest at the site.</p> <p>13 So, we were a little bit wary as to whether or not</p> <p>14 this was really a sincere solicitation of interest or</p> <p>15 whether this was just Kohl's fishing for an inexpensive pad</p> <p>16 lease.</p> <p>17 Their people flew out from Minneapolis. They were</p> <p>18 extremely interested in the site. The economic proposal</p> <p>19 that they put together for the site was, quite candidly, one</p> <p>20 which we couldn't refuse. In fact, the economics for the</p> <p>21 proposal that we are looking at tonight for the Klein family</p> | <p>1 is identical to the economics of a 150,000 square 8</p> <p>2 foot shopping center with pad leases for restaurants and</p> <p>3 without 15 million dollars worth of debt for the in-line</p> <p>4 space. They potentially would take the site. They would do</p> <p>5 all the site development. They do all the site</p> <p>6 construction. They would take a substantial amount of risk</p> <p>7 out of the site for us because they are, of course, a very</p> <p>8 strong competitor, probably one of the three strongest</p> <p>9 credits in retail in the country today. Very, very sought</p> <p>10 after pad lease.</p> <p>11 So, they presented us with, for lack of better</p> <p>12 words, really an option we couldn't refuse. That said,</p> <p>13 while we are in the letter of intent phase -- and we do have</p> <p>14 a letter of intent, a firm letter of intent -- letters of</p> <p>15 intent are subject to negotiation. That letter of intent</p> <p>16 has to be converted to a lease. The lease has to be signed.</p> <p>17 There are a number of steps in the process</p> <p>18 including site plan approval, building plan approval, and</p> <p>19 then they actually have to get into the construction phase.</p> <p>20 So, a lot can happen between the letter of intent</p> <p>21 phase of a project and the site plan approval phase of a</p> |
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| <p>1 project and the actual building permit and 9</p> <p>2 construction phase of the project. So, it still may never</p> <p>3 happen. That said, it is something that probably is more</p> <p>4 likely than not to happen. Again, I am not going to stand</p> <p>5 here and lie to you and say it is a maybe deal. At this</p> <p>6 point, it is a fairly strong deal. It has gone to the Real</p> <p>7 Estate Committee and they are fairly committed to the site.</p> <p>8 It is also, I think, a fairly tricky marketplace</p> <p>9 today for retailers and developers alike. The 15 million</p> <p>10 dollars worth of debt that we would have incurred to build</p> <p>11 the in-line space two years ago would probably cost us 200</p> <p>12 more basis points today. The spec space would be much</p> <p>13 harder to deal with because a number of the soft business</p> <p>14 retailers that were looking at the in-line space are</p> <p>15 probably not looking in this market today.</p> <p>16 A number of restaurants who had indicated initial</p> <p>17 expressions of interest that they might want to go into the</p> <p>18 restaurant court are probably not expanding today.</p> <p>19 It is a very different time today for developers and</p> <p>20 financiers and retailers alike. So, with those risks fully</p> <p>21 appreciated and understanding what we are dealing with and</p> | <p>1 knowing that we have been essentially sitting on this 10</p> <p>2 property for seven years, we thought it was time to move</p> <p>3 forward with the best plan that we could.</p> <p>4 To be honest with you, I'm sorry we are not going</p> <p>5 forward with the ICSC plan. I like it. I think it is a</p> <p>6 nice plan. Obviously, it is a very pretty plan. More</p> <p>7 people liked it than didn't like it.</p> <p>8 There are some pluses to this plan as well.</p> <p>9 Obviously, without an ICSC overlay, in a B-2 zone, there is</p> <p>10 no liquor permitted on this site because there is not a</p> <p>11 thousand feet of setback from where the school is even to</p> <p>12 the front of the property. So, whatever goes on the site,</p> <p>13 none of the users will have the opportunity to apply for a</p> <p>14 Liquor License which I know was a concern to many of the</p> <p>15 surrounding communities.</p> <p>16 This is a very, very strong credit deal. The</p> <p>17 proposal is for 65 years of term. The likelihood of their</p> <p>18 going away if they ultimately get through the building</p> <p>19 process phase and full building permits and go to</p> <p>20 construction is very, very slim. So, you have a strong</p> <p>21 creditworthy, strong retailer in the community for a very</p> |
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| <p>1 long time, which is in the sphere of things not a 11</p> <p>2 bad thing.</p> <p>3 Other than that, I truly don't have a lot else to</p> <p>4 say about why we are where we are. In the final analysis,</p> <p>5 it is just a business decision. So, without any further</p> <p>6 ado, I am going to turn it over to Joe.</p> <p>7 MR. SNEE: Thank you, Howard.</p> <p>8 What we would like to do now is have Ed and Tony --</p> <p>9 I guess Ed is going to start -- and just describe for you</p> <p>10 the new proposal, the buildings, the access, the engineering</p> <p>11 and so forth.</p> <p>12 So, Ed, if you would come forward and we have</p> <p>13 duplicate maps, so whatever you want.</p> <p>14 MR. STEERE: Very basically, it is the same site as</p> <p>15 you saw before, ten and a half acres. What we are showing</p> <p>16 here is three buildings, the largest one being a Kohl's. It</p> <p>17 is a two-story building totaling 102,666 square feet as</p> <p>18 proposed today.</p> <p>19 The other two buildings on this lot is small -- we</p> <p>20 are thinking a coffee shop kind of use like a Starbucks, and</p> <p>21 this would be more in-line retail or whatever, you know,</p> | <p>1 Howard picks up. 12</p> <p>2 These (indicating) buildings are really not</p> <p>3 proposed as yet. These are just here conceptually. Right</p> <p>4 now, it is just a Kohl's plan. This is just something that</p> <p>5 the Kleins have asked to hold out in case they can get those</p> <p>6 sites.</p> <p>7 The proposed building, like I said, is 102,000</p> <p>8 square feet. The way we show this here (indicating), this</p> <p>9 is 2,000 and this is 11,555. The total area on here is</p> <p>10 116,000 square feet which is about 2,000 less than the ICSC</p> <p>11 had on it.</p> <p>12 We have 655 parking spaces shown here which exceeds</p> <p>13 the minimums required by the County.</p> <p>14 There is no subdivision proposed here. This is</p> <p>15 just all one lot that is being developed as one lot or one</p> <p>16 building.</p> <p>17 Basic information on the Kohl's. They are looking</p> <p>18 at about 40 employees, plus or minus. Their hours of</p> <p>19 operation are eight to ten on weekdays and Saturdays and ten</p> <p>20 to eight on Sunday.</p> <p>21 We don't have on these plans any lighting shown,</p> |
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| <p>1 but Kohl's is one of those places that turns off 2 everything except for minimal security lighting at about 3 midnight every night.</p> <p>4 The trash for Kohl's is in a compactor inside the 5 building. The service and loading area -- it is hard to 6 tell from this plan, but it is actually dropped down in so 7 that the trucks are loading four feet off the ground which 8 is at floor level with the store. So, the trucks are 9 backing down into it and it is going to have a wall.</p> <p>10 As you can see, we have a lot of landscaping and 11 reforestation along the school side of the property, 12 landscaping around the rest of the property and through it. 13 The landscaping that is along Osborne Parkway will match 14 what is at the bank across the way, so we have a consistent 15 theme.</p> <p>16 We are enhancing the Forest Lakes sign with more 17 landscaping as well. Along the back of this service drive 18 there will be an eight-foot-high solid fence, vinyl fence, 19 and then we have the evergreen plantings on the outside of 20 the fence and other deciduous mixed plantings across the 21 entire strip.</p> | 13 | <p>1 The entrance points that you see here are 2 exactly the same as they were on the ICS plan and approved 3 by State Highway. As you can see, we are showing a new 4 median strip to prevent left turns on Route 24, and this 5 median break is existing. This (indicating) is directly 6 across from the entrance into the bank. Let's see.</p> <p>7 MS. MCALLISTER: Can you exit on Osborne?</p> <p>8 MS. STEERE: You can exit here and turn left to go 9 out on Osborne Parkway.</p> <p>10 MS. MCALLISTER: Are they going to do anything to 11 beef up Osborne? I don't know how --</p> <p>12 MR. STEERE: Osborne Parkway is -- we have two 13 lanes. Right now it is two lanes.</p> <p>14 MS. MCALLISTER: The left lane is left turn or 15 straight and the other lane is right turn only.</p> <p>16 MR. PIERCE: More than likely through a traffic 17 study, there will be an expansion done at the intersection 18 to add an additional lane to be able to make that left turn. 19 When the traffic study was done for the shopping center, 20 there was improvements also required for adding through 21 traffic on Route 24 as well. Those conditions are still</p> | 14 |
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| <p>1 going to be required. The traffic study that was 2 done a year and a half ago will have to be updated and 3 re-evaluated.</p> <p>4 MR. STEERE: And there has been a plan for the 5 property next door for retail, and there is going to be 6 expansion of the road up all the way up to the Walgreen's 7 with the curbing, so there may be some lane striping changes 8 and so forth on 24 from a variety of sources, not just this 9 project that we fully expect to go with this project.</p> <p>10 MR. SNEE: For the record, if we could get you to 11 state your name and address, and then ask your question. 12 That would help Penny a lot. Thank you.</p> <p>13 MS. KESLING: I am Dolores Kesling. I live on 14 Delray and Osborne.</p> <p>15 MR. SNEE: Could you just spell your last name, 16 please?</p> <p>17 MS. KESLING: K-E-S-L-I-N-G.</p> <p>18 MR. SNEE: Thank you.</p> <p>19 MS. KESLING: This entrance at the far end, 20 that entrance, are they going to be able to make right turns 21 and go down?</p> | 15 | <p>1 MR. STEERE: No. We are going to extend 2 the median strip. The darker line here is showing the 3 median strip being extended. It will be a right turn in 4 only. So, you won't be able to turn left out of there.</p> <p>5 MS. KESLING: I am concerned about all the traffic 6 going down into the development. It is too much traffic 7 going down there. They have got speed bumps and you got 8 the islands now, the traffic controlling islands.</p> <p>9 MR. STEERE: Traffic-calming devices?</p> <p>10 MS. KESLING: Calming devices.</p> <p>11 MS. DEAN: Cindy Dean, 2013 Garden Drive. I 12 have a question about the service road behind the building, 13 Kohl's is a large department store. They are going to 14 have tractor-trailer trucks bring merchandise in. How 15 are they going to go back out?</p> <p>16 MR. STEERE: This site works really well for trucks 17 honestly. It may be hard for everybody to understand. 18 whether the trucks come in this (indicating) way or whether 19 they come in off Route 24, we have left room for them to 20 maneuver and back into their service area very well. So 21 they can pull in and service and come right back out through</p> | 16 |
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| 1 the front of the site. Any way they are in here | 17 | 1 traffic across the shopping center and Osborne, too. | 18 |
| 2 loading, they can get out of the site right onto Route 24. | | 2 MR. KLEIN: Yes, ma'am? | |
| 3 The likelihood of them going north on 24 is pretty | | 3 MS. MCALLISTER: Jennifer McAllister, | |
| 4 slim as you know but, if they had to go north, they could go | | 4 M-C-A-L-L-I-S-T-E-R. I'm at 805 Bear Creek Court. | |
| 5 back out to Osborne Parkway through this entrance, but we | | 5 So, from seeing that you have this turn only in | |
| 6 fully doubt that that is going to be a typical direction for | | 6 behind the shopping center which is right by the school — | |
| 7 distribution of trucks. | | 7 and I am sorry; I have two children. I'm going to have one | |
| 8 MR. METTEE: John Mettee, M-E-T-T-E-E-I, 1994 | | 8 child in that school and I'm going to have a second going in | |
| 9 Gulfstream Court. | | 9 three years. | |
| 10 I disagree with you. Tractor/trailers are going to | | 10 You are going to have tractors trailers — the plan | |
| 11 come out of there, and they're going to want to make a left | | 11 is they're going to be coming onto Osborne to go behind. I | |
| 12 hand turn to go down to Route 23 because that is where all | | 12 mean, that's the only reason you have that one way behind | |
| 13 the tractor/trailers travel right now. They will go | | 13 the store coming off of Osborne. So, your plan is to bring | |
| 14 wherever they want to go, east and west. | | 14 the tractor/trailers onto Osborne, the main — to bring them | |
| 15 MR. STEERE: Well, they would be forced to go out | | 15 in do their their loading; is that correct? | |
| 16 this (indicating) way — | | 16 MR. STEERE: That is one route, yes; but that's | |
| 17 MR. METTEE: That is what I'm saying. There is | | 17 the only reason for that. | |
| 18 going to be a lot of truck traffic and — | | 18 MS. MCALLISTER: But that's the only reason for | |
| 19 MR. STEERE: You are — | | 19 that road, on a one lane going that way only road which is | |
| 20 MR. METTEE: They would have to come out and turn | | 20 just a residential community. | |
| 21 left and then go up 24. That is going to bring truck | | 21 MR. PIERCE: It is a service road. It is an | |

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| 1 employee entrance. It will be more than just | 19 | 1 because a lot of kids from other neighborhoods are | 20 |
| 2 tractor/trailers. | | 2 being bussed in, are going to be going to a different | |
| 3 MR. STEERE: It is not restricted to | | 3 elementary school. So, almost all the children in that | |
| 4 tractor/trailers. If shoppers want to pull in there because | | 4 school will then become walkers. | |
| 5 they don't want to drive through this (indicating), they are | | 5 You are putting in an attractive nuisance to drag | |
| 6 welcome to; but it is just that it is designed — | | 6 them from the school actually closer to 24 where traffic is | |
| 7 MS. MCALLISTER: But is that its primary design? | | 7 heavier by putting in a Kohl's which sells toys and things | |
| 8 MR. STEERE: Yes. | | 8 like that, and we don't know what is going to be in that | |
| 9 UNIDENTIFIED SPEAKER: You will have children | | 9 other pad site. So, you are going to be putting something | |
| 10 there. | | 10 in that will attract them closer to the highway. These are | |
| 11 MS. MCALLISTER: Yes, small children. | | 11 kids who don't have a choice but to go to this school. | |
| 12 UNIDENTIFIED SPEAKER: There are a lot of walkers | | 12 They have to be there. | |
| 13 there. | | 13 I have a concern and then you are having — the | |
| 14 MR. SNEE: Again, we just have to take it one at | | 14 plan is to have tractor/trailers coming up Osborne Parkway, | |
| 15 a time. | | 15 a two-lane road, to come in. Where is the safety for the | |
| 16 MS. MCALLISTER: I can speak to the walkers. That | | 16 children? Where is the consideration for that? It is right | |
| 17 is a neighborhood school. The majority of children going to | | 17 — I mean, it butts up right against the school and the | |
| 18 that school are walkers, and also you have a new elementary | | 18 school parking lot. And I'm sorry; an eight-foot fence and | |
| 19 school, I believe, opening in three years which means that | | 19 trees is not going to stop eight-, nine- and ten-year-old | |
| 20 most of the bus traffic going into that school is going to | | 20 children from going that way if they choose to divert from | |
| 21 stop, and the majority of kids in that school at that point, | | 21 going home and going towards the shopping center. | |

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| 1 | MR. SNEE: I am familiar with that because | 21 | 1 | then grinding back there. | 22 |
| 2 | my kids go to school here. As I recall, in the mornings, | | 2 | what kind of security issues are being put in? It | |
| 3 | too, the crossing guards are below here (indicating) -- | | 3 | is a huge parking lot. It is going to be rampid | |
| 4 | MS. MCALLISTER: Right but -- | | 4 | skateboarders. | |
| 5 | MR. SNEE: -- (continuing) and the people use the | | 5 | MR. SNEE: It is typical of other -- | |
| 6 | sidewalks on this side to traverse, and they are actually | | 6 | MS. SMITH: With all the gangs coming into Bel Air | |
| 7 | coming in below where the trucks would be coming in and out | | 7 | and the skateboarders are what they are saying are now | |
| 8 | of -- | | 8 | becoming the gang members. This is just a breeding ground. | |
| 9 | MS. MCALLISTER: My concern is those children | | 9 | MR. SNEE: If it is typical of most commercial | |
| 10 | that aren't being walked by a parent and there are children | | 10 | retail where the property owners are posting no | |
| 11 | who are not walked by a parent. Some of us have to work. | | 11 | skateboarding and -- | |
| 12 | MR. SNEE: Sure, sure. It is an issue. It is. | | 12 | (Laughter.) | |
| 13 | MS. MCALLISTER: Which is why I don't understand | | 13 | MR. SNEE: Let me finish, please. -- (continuing) | |
| 14 | why you would be putting that big of a store next to a | | 14 | and then it becomes a law enforcement issue. It made news | |
| 15 | school. | | 15 | this week that the Town of Bel Air was considering the same | |
| 16 | MR. SNEE: Ma'am? | | 16 | thing. There is no doubt that kids skateboard. They | |
| 17 | MS. SMITH: Tricia Smith, 214 Woodbine Court. | | 17 | skateboard at the Inner Harbor, get caught on YouTube and | |
| 18 | Along with the safety issues on that, the school | | 18 | it makes the world news. | |
| 19 | currently has and has had a severe problem with | | 19 | Again, it is going to happen there and it is going | |
| 20 | skateboarders. May I -- I can't tell you how many times | | 20 | to be posted that you can't do it, and then it becomes an | |
| 21 | I've woke up at three or four o'clock in the morning hearing | | 21 | enforcement issue. Can we rule it out? No; just like Bel | |

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| 1 | Air Plaza can't rule it out. Forest Lakes can't | 23 | 1 | forever put extra traffic lights in. They put one | 24 |
| 2 | rule it out. We can do what we can do. That is really it. | | 2 | down there now right up from Rockspring. It is not uncommon | |
| 3 | Yes, sir? | | 3 | to have back-to-back traffic lights. I would rather see a | |
| 4 | MR. NYBORG: George Nyborg, 1922 Munsey Drive. | | 4 | traffic light there to control traffic both ways exiting off | |
| 5 | THE REPORTER: Can you spell your last name, sir? | | 5 | of that as opposed -- that would solve a lot of this grief, | |
| 6 | MR. NYBORG: N-Y-B-O-R-G. | | 6 | I think, over the extra traffic on Osborne. | |
| 7 | The exit that goes onto Osborne -- | | 7 | MR. SNEE: A light here (indicating) or here? | |
| 8 | MR. STEBRE: This here (indicating)? | | 8 | MR. NYBORG: No; up there. | |
| 9 | MR. NYBORG: Yes. | | 9 | MR. SNEE: I mean, we can look at that. That is a | |
| 10 | There is hardly a time that there isn't cars backed | | 10 | function of the State Highway Administration and what they | |
| 11 | up from the traffic light. If you have a tractor/trailer | | 11 | call their warrant analysis, and they have computer models | |
| 12 | coming out of there and they are 65 feet long or more, how | | 12 | that will be a function of a traffic impact analysis that we | |
| 13 | are they going to get across there without blocking that | | 13 | do, and we will give it to State Highway. It is reviewed by | |
| 14 | intersection? The cars coming into -- | | 14 | a gentleman by the name of Mark Redmond and his boss Steve | |
| 15 | MR. PIERCE: You are raising an excellent concern. | | 15 | Roster, and one of the things they look at is, does that | |
| 16 | They are going to have to control their truck traffic so | | 16 | particular intersection warrant a new signal, and that is | |
| 17 | they are not moving trucks through the intersection during | | 17 | something that the State will determine based on the number | |
| 18 | the peak time when it is really busy and, in fact -- | | 18 | of trips that are already generated there plus the | |
| 19 | MR. NYBORG: I would rather see a second traffic | | 19 | additional volume that will be put in there. | |
| 20 | light and have them make left turns, if they are going to do | | 20 | Certainly, developers love traffic lights. They | |
| 21 | that, up in front of the store as opposed -- I mean, they | | 21 | do, because it makes access easier in and out of the site. | |

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| 1 | If they want to put one there, I am sure Mr. Klein | 25 | 1 | the church. There is nothing else that can bring | 26 |
| 2 | would be all for it. | | 2 | it up to 24? | |
| 3 | MR. STEERE: Don't forget also, as Tory mentioned | | 3 | MR. STEERE: I don't think so. | |
| 4 | before, the traffic study will probably also include some | | 4 | MR. SNEE: As I understand it, between our site and | |
| 5 | geometry refinement to the intersection which could change | | 5 | getting down there, you have the Kolodner property -- | |
| 6 | the back-up condition as well of the daily traffic that is | | 6 | MR. STEERE: You have the water tank. | |
| 7 | there today. | | 7 | MR. SNEE: You have a water tank. You have an | |
| 8 | So, until we put all those numbers together and do | | 8 | existing bank. You have a vacant lot. You have a | |
| 9 | the study, we are really not sure about that. That is | | 9 | Walgreen's, Dr. Berg -- | |
| 10 | something that has to come in this process. | | 10 | MR. STEERE: Dr. Berg and the park. | |
| 11 | MR. SNEE: Yes, ma'am? | | 11 | MR. SNEE: I would like to say we could look at it, | |
| 12 | MS. RILEY: Geri Riley, R-I-L-E-Y, 1985 | | 12 | but chances are slim to none to have a service road there. | |
| 13 | Hillview Court. | | 13 | It's a great idea, but I just don't see it working with the | |
| 14 | Is there a way -- my thought is to somehow get | | 14 | amount of property owners in between there and the point | |
| 15 | the traffic off of Osborne. I think this is going to be | | 15 | that you would like to reach. | |
| 16 | much more well received if you not even have access there. | | 16 | MR. STEERE: The water tank is a really big | |
| 17 | Is there a way to make the service road out that way | | 17 | obstacle. | |
| 18 | (indicating) out to 23? I mean, all that is going to | | 18 | MR. SNEE: Yes, sir? | |
| 19 | be retail down there. | | 19 | MR. PINEDA: Adrian Pineda, 203 Brandy Drive. | |
| 20 | MR. STEERE: Actually, what is in between here and | | 20 | THE REPORTER: Could you spell your last name? | |
| 21 | 23 is another road and it's a park, the tennis courts, and | | 21 | MR. PINEDA: P-I-N-E-D-A. | |

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| 1 | Kohl's is a great store, fantastic sales on | 27 | 1 | before, the attendance that we had before was tenfold. | 28 |
| 2 | weekends. We have the ballpark right down the street. On | | 2 | MS. DEAN: I'm sorry. I have to disagree with you. | |
| 3 | Saturdays and Sundays, what is that going to do as far as | | 3 | MR. PINEDA: Excuse me. However, what we have | |
| 4 | traffic goes? Bottleneck. | | 4 | here, it seems like is not -- it wasn't really advertised. | |
| 5 | MR. STEERE: Well, the traffic analysis | | 5 | (Multiple conversations among audience members, | |
| 6 | will include Saturday evaluations. They will do traffic | | 6 | unreportable.) | |
| 7 | counts and they will pick up that traffic. | | 7 | MS. DEAN: Cindy Dean, 2013 Garden Drive. | |
| 8 | MR. PINEDA: The decision will be made, as far as | | 8 | Conway Property Management sent us notices to let | |
| 9 | traffic counts and traffic light, after it is built or are | | 9 | us know about this. We were also notified in the newspaper, | |
| 10 | we going to get -- | | 10 | in the Aegis. It was advertised for at least two weeks that | |
| 11 | MR. PIERCE: It will have to be made before | | 11 | I know of. I don't know what else they could have done. | |
| 12 | the plan is approved. | | 12 | I know there are several property management companies -- | |
| 13 | MR. PINEDA: Thank you. | | 13 | MR. PINEDA: You have to respect where we are | |
| 14 | MR. SNEE: One of the things you will see as we | | 14 | coming from. | |
| 15 | move forward in this process is we will be reconvened in | | 15 | MS. DEAN: We are one of the largest ones | |
| 16 | this room for the DAC process. The gentleman that sits | | 16 | apparently that is covered by Conway and they did notify all | |
| 17 | there is Mark Redman, and he will take it back and those | | 17 | the home owners. | |
| 18 | determinations will be made before we get our approval. | | 18 | MR. PINEDA: But you can't really say that it was | |
| 19 | MR. PINEDA: Great. | | 19 | advertised. You received your notice. I am speaking -- | |
| 20 | One more question, too. This meeting was not | | 20 | MR. KLEIN: We notified every association in Forest | |
| 21 | really advertised like the last one. The room that we had | | 21 | Lakes, and we complied with the law by posting the site, | |

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| <p>1 posting in the paper, and notifying adjoining 2 owners. We did take the extra step of notifying every 3 single association of our sites. How those associations 4 chose to deal with their members, I can't control.</p> <p>5 MR. PINEDA: We noticed that the last meeting was 6 advertised by the Klein family.</p> <p>7 MR. KLEIN: It is a little bit of a different 8 process this time. Frankly, it is a very different project. 9 The project that was presented to you more than a year and a 10 half ago. It was a project that required a special overlay 11 district in a B-2 zone, a Special Exception which, in 12 essence, has to be heard by a Hearing Examiner, and the 13 Hearing Examiner takes into account the concerns of 14 associations and citizens and communities.</p> <p>15 This plan, for better or worse, is really a plan as 16 a matter of right. We obviously are complying with the law, 17 and the law requires us to seek community input which we 18 will take under advisement and forward to the Department of 19 Planning; but this is still a plan as a matter of right. It 20 doesn't necessarily require the same level of community 21 permission, for lack of a better word, than a Special</p> | 29 | <p>1 Exception. So it is a different process.</p> <p>2 MR. PINEDA: I respect that. What you did -- the 3 last meeting, it was a good meeting. It is disappointing 4 that this particular issue was not widely advertised.</p> <p>5 MR. KLEIN: If you feel that way, I am sorry.</p> <p>6 MR. SNEE: Let me answer that. When in doubt, 7 blame the lawyer, and I'm the lawyer.</p> <p>8 So, we have this new law. In May of 2007, it comes 9 on the books. Quite frankly, I looked at it the first time, 10 and it is a mess because you can't really read the statute 11 and determine the sequence of events, and there are some 12 flaws in it. We are still learning it, but what we did was 13 we tried our best to literally comply with the letter of the 14 law, so we don't run afoul. Strictly speaking, it says to do 15 a few things: Advertise in the Aegis, which we did. 16 Advertise it in The Record, which we did, for a total of 17 four.</p> <p>18 Post it. You have two signs, one facing 24 and one 19 facing Osborne. Now, the challenge there was -- I live by 20 there. So, I drive by every night and every night, they 21 were moved, defaced, deformed, graffitied, missing,</p> | 30 |
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| <p>1 relocated. So I put them up again. I hold the 2 record for the amount of signage put up.</p> <p>3 Then, we had to notify the adjacent property 4 owners. We did that, and then we notified the community 5 associations' presidents and, apparently, it worked for this 6 lady, but it did not work for you; but we did everything 7 that the law said and it will be an evolving process and I 8 hope it gets better. I really do. We share your pain.</p> <p>9 MR. REIN: Bart Rein, 222 Woodbine Court. R-E-I-N.</p> <p>10 Just to kind of get the process. This is -- you 11 are obviously required to have this meeting, and the next 12 step is it moves to the DAC, Development Advisory Committee. 13 Then, through that portion of the process, is there also an 14 opportunity for communities to give input?</p> <p>15 MR. KLEIN: Yes.</p> <p>16 MR. REIN: Just so that I had in my head as far as 17 what we are doing here today and what would be done in 18 the future; this is -- you are fulfilling a requirement 19 of the process, but this is not a legal proceeding.</p> <p>20 MR. SNEE: It is a legal proceeding --</p> <p>21 MR. REIN: Only in that you are fulfilling a</p> | 31 | <p>1 requirement of the process.</p> <p>2 MR. SNEE: Right.</p> <p>3 MR. REIN: But the next proceeding is an actual 4 legal proceeding.</p> <p>5 MR. SNEE: Right.</p> <p>6 MR. KLEIN: Joe has a little bit of a different 7 spin on the CIM law than I do. I think CIM is actually 8 a good positive step by the County because it allows 9 the site developers to take into account concerns of the 10 community before they get to DAC. So, if there are things 11 that we can do to tweak the plan before we get to DAC and 12 answer some of those concerns, we will do that.</p> <p>13 Hearing what we hear today, I think, gives my site 14 engineers an opportunity to address concerns that might 15 otherwise not be raised until we get to DAC.</p> <p>16 MR. REIN: The biggest concern, I think, that 17 everyone here has are the same concerns that we had with 18 the last plan that you chose to not change which was access 19 onto Osborne Parkway.</p> <p>20 MR. KLEIN: There are going to be some of the same 21 characteristics of the site. It is going to generate</p> | 32 |
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| <p>1 traffic. There are going to cars and trucks. 33</p> <p>2 MR. REIN: Isn't it possible for you to offer to</p> <p>3 pay for the improvements to put a light onto 24 rather than</p> <p>4 having a traffic study force the County to spend the money?</p> <p>5 MR. KLEIN: I have to pay for the traffic</p> <p>6 study, not the County.</p> <p>7 MR. REIN: I am not talking about the traffic</p> <p>8 study. I am talking about paying for the light.</p> <p>9 MR. KLEIN: If I could offer the County a million</p> <p>10 dollars to put a light at the intersection of 24 and the</p> <p>11 site, the County could not accept it because a light can</p> <p>12 only go where the State Highway Administration says a light</p> <p>13 will go.</p> <p>14 The State Highway Administration's number one</p> <p>15 priority — and I have spoken to the State Highway</p> <p>16 Administration many times over many different sites — is to</p> <p>17 maintain the flow of traffic; not to make it safer or better</p> <p>18 or easier for you to get to your homes without encountering</p> <p>19 commercial traffic, but to maintain the flow and speed of</p> <p>20 traffic. So, anything that they can do to maintain the flow</p> <p>21 and speed of traffic, that trumps safety unless people are</p> | <p>1 literally dying at the intersection. 34</p> <p>2 MR. PIERCE: I would like to chime in only because</p> <p>3 I have been involved with the project for a long time.</p> <p>4 Back originally, Mr. Osborne had proposed the</p> <p>5 supermarket store at this site and a traffic light was</p> <p>6 proposed on Route 24, so that was back in 1995. So, we have</p> <p>7 been talking to the State about trying to allow an</p> <p>8 additional signal for twelve years and we have not gotten</p> <p>9 it.</p> <p>10 MR. SNEE: And just to take it one step further; if</p> <p>11 Mr. Klein writes the \$150,000 to \$250,000 it takes to</p> <p>12 install one of those, it doesn't mean the State would accept</p> <p>13 it and put it up. They would have to say that intersection</p> <p>14 warrants it and then Mr. Klein would pay for it, but I will</p> <p>15 tell you. Traffic signals are an animal unto themselves.</p> <p>16 MR. KLEIN: My family has tried for 25 years to</p> <p>17 try to get a light at Klein Tower Plaza Drive without</p> <p>18 success, 25 years.</p> <p>19 MR. SNEE: Yes, sir.</p> <p>20 MR. ENGLISH: Larry English, 728 Rosecroft Court.</p> <p>21 I think the biggest concern with the traffic flow with this</p> |
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| <p>1 site or the prior site is that the main entrance was 35</p> <p>2 and remains off of Osborne Parkway which, today, in the past</p> <p>3 ten years has been the main entrance into the Forest Lakes</p> <p>4 residential development and Forest Lakes Elementary School</p> <p>5 and the main thoroughfare that has to be crossed to get to</p> <p>6 the rec fields.</p> <p>7 The plan showing the main entrance into this</p> <p>8 shopping center business property off of Osborne Parkway,</p> <p>9 rather than trying to make it off of Route 24, seems to me</p> <p>10 to be the biggest concern. When we went through this a</p> <p>11 little over a year ago, it was spoken about, the problems in</p> <p>12 getting a traffic light on Route 24; but since then, we see</p> <p>13 that Forest Valley Drive — the traffic light there by</p> <p>14 Ronnie's across from the CVS into a much smaller commercial</p> <p>15 development, and I think it needs to be explored further and</p> <p>16 more aggressively to see about getting that traffic light</p> <p>17 there to make the main entrance on Route 24 rather than</p> <p>18 Osborne Parkway because you have got close to 600 feet from</p> <p>19 that intersection if you are going up Route 24 from Osborne</p> <p>20 to get into that property and about 300 feet from the</p> <p>21 intersection of Osborne to get in the backup of traffic,</p> | <p>1 tractor/trailers, whatever, trying to get out of 36</p> <p>2 that shopping center to get back to Route 24, is a concern.</p> <p>3 A lot of us have been sitting there on a Saturday</p> <p>4 or Sunday morning trying to get kids to the soccer fields</p> <p>5 and baseball and you can't get out of there now with nobody</p> <p>6 living or working or any traffic coming from that property</p> <p>7 now and that is the biggest concern, the traffic flow there,</p> <p>8 and what might feed over in front of the school.</p> <p>9 MR. KLEIN: Citizens have a lot more pull with</p> <p>10 where traffic lights go than developers do.</p> <p>11 MS. MCALLISTER: Jennifer McAllister, 805 Bear</p> <p>12 Creek Court.</p> <p>13 The other thing that I am sitting here listening to</p> <p>14 and — I'm sorry. I wasn't at the hearing a year and a half</p> <p>15 ago. I had a newborn — is that you have been using CDM,</p> <p>16 ICSC, B-2 zones. I am a lawyer; I don't know what any of</p> <p>17 that means because I am a criminal prosecutor. All right?</p> <p>18 And I am assuming I may not be alone in this room not</p> <p>19 knowing what any of that means.</p> <p>20 And the other sense I am getting from listening to</p> <p>21 you is this is a business decision. You are here because</p> |
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| <p>1 you have to listen to us. What we have to say 37</p> <p>2 really is not going to change a daggone thing. From what</p> <p>3 you said earlier, this is your business proposal. This is</p> <p>4 what you are doing, no matter what the people in the</p> <p>5 community feel and, quite honestly, I see you taking</p> <p>6 business needs, your need to make more money to use this</p> <p>7 property, over the safety of our children in that</p> <p>8 development; and I have a problem with that.</p> <p>9 (Applause.)</p> <p>10 MS. MCALLISTER: My son is six and a half years old</p> <p>11 and my other is 20 months old. They will both be going to</p> <p>12 that school. If one child gets killed because of this, it</p> <p>13 is on your head because your business needs are more</p> <p>14 important than our children's needs; and that makes me</p> <p>15 angry.</p> <p>16 When I moved here five years ago, I didn't know you</p> <p>17 owned that lot. I didn't know that anything would be</p> <p>18 developed there, or I might not have considered buying</p> <p>19 there.</p> <p>20 A Kohl's has lots of business. A Kohl's brings</p> <p>21 lots of traffic, people who don't live in our neighborhood</p> | <p>1 who are not worried about our children. 38</p> <p>2 Everybody is talking about Saturday soccer.</p> <p>3 Saturday soccer is big on those rec fields. Half the times</p> <p>4 you park in that parking lot for the school and walk your</p> <p>5 kids across.</p> <p>6 I am concerned for my children's safety, for my</p> <p>7 neighbor's safety. I am a working mother. Okay. My child</p> <p>8 may be a walker by himself or with friends. I can't control</p> <p>9 if he decides to walk towards Kohl's or if he steps off the</p> <p>10 sidewalk.</p> <p>11 Now, you say: Okay, Maryland has contributory</p> <p>12 negligence. I'm not necessarily responsible for that. But</p> <p>13 mine and ten year olds don't make the same kind of decisions</p> <p>14 that adults do. They don't have the same basis. So, this</p> <p>15 whole plan concerns me for my children's safety and you sat</p> <p>16 here and said: This is a business decision. We've decided</p> <p>17 to move forward. We are here because I have to let you come</p> <p>18 here and make your opinion, but it is not going to change</p> <p>19 what I have to say or what I am going to do, and that also</p> <p>20 makes me angry.</p> <p>21 And if you think for one minute after this meeting,</p> |
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| <p>1 I will step into one of your stores or shop at that 39</p> <p>2 Kohl's, you're crazy.</p> <p>3 (Applause.)</p> <p>4 MR. SNEE: One of the things that I have found in</p> <p>5 the ten plus CIMS, which is a Community Input Meeting --</p> <p>6 MS. MCALLISTER: Okay.</p> <p>7 MR. SNEE: -- (continuing) it is an acronym just</p> <p>8 like no pros, just like a stet, just like a petit jury,</p> <p>9 just like a Grand Jury. We all have our acronyms.</p> <p>10 MS. MCALLISTER: I understand that, but people</p> <p>11 don't know this.</p> <p>12 MR. SNEE: But, really, the purpose of the law is</p> <p>13 to solicit in a civilized discourse the concerns of the</p> <p>14 community.</p> <p>15 This property has been designed commercial and</p> <p>16 designated commercial, B-2. A B-2 is a very intense</p> <p>17 commercial use. There is only one greater, and that is B-3.</p> <p>18 The only difference is B-3 has outside storage like a Home</p> <p>19 Depot. B-2 does not. Otherwise, it is meant for commercial</p> <p>20 development, and it is being designated as such since that</p> <p>21 property was developed way back when, and when you bought</p> | <p>1 your home, you have what we all learned in law 40</p> <p>2 school, constructive notice that that is the case. You, as</p> <p>3 a lawyer, probably know that better than anybody else in the</p> <p>4 room.</p> <p>5 MS. MCALLISTER: I am a criminal prosecutor.</p> <p>6 This isn't --</p> <p>7 MR. SNEE: As far as the safety issue goes, the</p> <p>8 property is going to be developed because it's valuable and</p> <p>9 developers turn raw land into something that creates value</p> <p>10 just like they did when they built your home. It is going</p> <p>11 to happen. We are cognizant of those safety risks.</p> <p>12 As I said, my kids go to that school, and there are</p> <p>13 certain things that we are going to have to do to minimize</p> <p>14 the risk to students like teaching our kids to look both</p> <p>15 ways before they cross, using the traffic guards that are</p> <p>16 there every morning. I see them. They do a fantastic job.</p> <p>17 Can we eliminate all risk in life? No, we can't.</p> <p>18 But, you know, we share that with you. Mr. Klein is not out</p> <p>19 to develop a site to intentionally harm your children or</p> <p>20 anybody else in the community, and we welcome any</p> <p>21 constructive criticism to address the plan to ensure</p> |
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| 1 everybody's safety because we all live there. | 41 | 1 anything because it is not community integrated. It | 42 |
| 2 Yes? | | 2 has no value to our community except for a business decision | |
| 3 MS. MATULEVICH: Lori Matulevich, 1933 Medallion | | 3 and, to me, it is unacceptable. | |
| 4 Court. | | 4 (Applause.) | |
| 5 This is the plan. Since you were not here, this is | | 5 MR. SNEE: Yes, sir? | |
| 6 the original plan. I am the Secretary on the Board and this | | 6 MR. BRZDASKY: My name is David Brzdasky, | |
| 7 is my only personal feeling. This has nothing to do with | | 7 B-R-Z-D-A-S-K-Y. | |
| 8 anybody on the Board or anything else. This is my only | | 8 The County has approved Howard to have a community | |
| 9 personal feeling. | | 9 integrated shopping center on that site. Nothing else has | |
| 10 This (indicating) is what I fought for. As a Board | | 10 been approved, even though this is speculative. How can you | |
| 11 Member, as a community member, this is exactly what I think | | 11 present to us a speculative drawing when you know right now | |
| 12 of when I think of value, and value added to our community, | | 12 the County hasn't approved it for that site? Right now, the | |
| 13 value to our children, our school right there. It gets | | 13 only thing that can go in, as I understand it, is a | |
| 14 emotional because this is our family. This is where we are | | 14 community integrated shopping center. | |
| 15 everyday. So, you are not going to get rid of that emotion, | | 15 MR. KLEIN: They are actually both the same | |
| 16 but this, to me -- and I want to make sure the Klein family | | 16 starting line, if you will. | |
| 17 knows that, when we passed the legislation for the liquor | | 17 MR. BRZDASKY: But, Howard, right now, unless I am | |
| 18 law and we want to bat for you guys and we stuck our necks | | 18 mistaken, the County has approved you to have that | |
| 19 out, this is what we want for. You can see the difference. | | 19 integrated shopping center. This does not meet that | |
| 20 This (indicating) is community integrated. I | | 20 criteria. How does this meet that criteria? | |
| 21 respectfully request that this not be called community | | 21 MR. KLEIN: It doesn't, and I am not pretending | |

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| 1 that it does. They are both the same starting line. | 43 | 1 other. | 44 |
| 2 There is an ICSC overlay which, if it were built, would look | | 2 MR. BRZDASKY: You haven't done that yet then. | |
| 3 much like the plan that Laurie showed. | | 3 MR. KLEIN: We haven't applied for site plan | |
| 4 There is also a B-2 zone which allows the land | | 4 approval for the ICSC. We have filed a site plan for | |
| 5 owner to build something much like this without taking | | 5 consideration by DAC that looks like this (indicating). | |
| 6 advantage. The developer has a choice. They can either use | | 6 MR. PIERCE: We have to have this meeting -- | |
| 7 the ICSC overlay subject to the conditions of the Hearing | | 7 MR. KLEIN: All right. We haven't even done that. | |
| 8 Examiner, or they can say: Okay. We are going to build an | | 8 MR. BRZDASKY: My question is as a community | |
| 9 integrated community shopping center. We are going to build | | 9 leader. Since this hasn't been approved and the other was | |
| 10 in accordance with the zoning, the base zoning, that already | | 10 and it was only financial that you didn't move with | |
| 11 exists on the property and do what is otherwise permitted | | 11 the first project -- this is more financial in your benefit; | |
| 12 without the overlay as a matter of right. | | 12 so to benefit those in the community, will you entitle us | |
| 13 Am I misinterpreting this? | | 13 to have another meeting with you prior to a DAC Meeting? | |
| 14 MR. SNEE: No. That is correct. | | 14 A DAC meeting is responsible for the County to its citizens. | |
| 15 MR. KLEIN: It could go either way under the | | 15 The next meeting, you have been approved to have a one | |
| 16 current zoning regulations. | | 16 or two building site on that lot where the community | |
| 17 MR. BRZDASKY: At this time, Howard, you have | | 17 can, once again, have more input on its development. | |
| 18 not applied for anything other than what you applied for | | 18 MR. SNEE: Well, let me just take a crack at that | |
| 19 in the past; correct? | | 19 one. | |
| 20 MR. KLEIN: We are at the same stage where we | | 20 MR. BRZDASKY: I know you're doing this by law. I | |
| 21 would have to apply for site plan approval for one or the | | 21 am asking Howard to do the next meeting as a courtesy to the | |

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| <p>1 community. 45</p> <p>2 MR. SNEE: I hear what you're saying. So,</p> <p>3 mandatory community input meeting tonight --</p> <p>4 MR. BRZDOWSKY: This is mandated.</p> <p>5 MR. SNEE: The next step that is mandated is our</p> <p>6 DAC submission and a DAC meeting here --</p> <p>7 MR. BRZDOWSKY: I am asking Howard to commit --</p> <p>8 MR. SNEE: So, you are asking Mr. Klein to consider</p> <p>9 an informal meeting.</p> <p>10 MR. BRZDOWSKY: No. I am asking Howard to commit</p> <p>11 himself to the community, which the community provides to</p> <p>12 him and made him where he is, and now it is time to pay back</p> <p>13 his community.</p> <p>14 So, Howard, I am asking you to make a commitment to</p> <p>15 this community that you will allow us, once again, to have</p> <p>16 input towards this construction site before the DAC</p> <p>17 meeting occurs.</p> <p>18 DAC is done. All we can do at a DAC meeting, in</p> <p>19 lieu of a zoning hearing, is listen and perhaps give some</p> <p>20 input; but it is really a done deal. I am asking Howard for</p> <p>21 his personal commitment to the community.</p> | <p>1 MR. KLEIN: I think you misunderstand the 46</p> <p>2 process a little bit.</p> <p>3 MR. BRZDOWSKY: I understand the process of law,</p> <p>4 Howard. I am not asking for the process -- we are here for</p> <p>5 the process.</p> <p>6 MR. KLEIN: I am not sure what another meeting just</p> <p>7 on the Kohl's site is going to do beyond what we are already</p> <p>8 doing tonight.</p> <p>9 MR. BRZDOWSKY: Howard, the DAC meeting means I come</p> <p>10 to the DAC meeting, and the County has already predetermined</p> <p>11 through the road studies and whatnot what intersection is</p> <p>12 going to be given, what traffic patterns are going to be</p> <p>13 given, the distance from this and that. That's at a DAC</p> <p>14 meeting. DAC meets to inform the community what the</p> <p>15 County's criteria is for you.</p> <p>16 I am asking you to let the community give you some</p> <p>17 criteria, what maybe we would like to see besides a stone</p> <p>18 building. Right now, I'm looking at a flat top. I can't</p> <p>19 tell stones, stucco, what it might be constructed of, what</p> <p>20 the shrubbery is, what style it's going to be, the little</p> <p>21 walk pad, is it on State property. Will the Forest Lakes be</p> |
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| <p>1 moved, relocated, updated? That is not going to 47</p> <p>2 happen at the DAC meeting, but at an input meeting, it</p> <p>3 would occur.</p> <p>4 MR. SNEE: Tonight, do you have any suggestions for</p> <p>5 us on that? That is the purpose tonight, sir.</p> <p>6 MR. BRZDOWSKY: This is so far down the road. It is</p> <p>7 almost premature to even have it other than you are doing it</p> <p>8 because you are obligated by law.</p> <p>9 Right now, for instance, the Forest Lakes sign. Is</p> <p>10 this construction site -- the Forest Lakes sign would have</p> <p>11 to be relocated because another lane of traffic would go in.</p> <p>12 Which sidewalk? Because the County would require to have</p> <p>13 sidewalks from the school to 24.</p> <p>14 The Forest Lakes sign -- you are not obligated to</p> <p>15 maintain that sign, but it was built by Osborne. Can the</p> <p>16 sign be relocated or enhanced in some manner? The DAC</p> <p>17 meeting is not going to tell that, but can Howard commit</p> <p>18 that a Forest Lakes sign can be done?</p> <p>19 Both lanes coming down Osborne Parkway, there are</p> <p>20 now three lanes at the intersection. Therefore, both signs</p> <p>21 will be destroyed because sidewalks have to go in. So, as a</p> | <p>1 developer, is he obligated to put in signs? No. 48</p> <p>2 would the developer give us a quote that he would? Perhaps.</p> <p>3 This is what the next meeting perhaps would give us some</p> <p>4 flavor to do.</p> <p>5 Right now we are so speculative that you don't even</p> <p>6 have the okay to build this thing because it's not an</p> <p>7 integrated shopping center. You are just doing this to</p> <p>8 entertain us because it is obligation by law.</p> <p>9 Tell us what you are really going to do. The path</p> <p>10 on 24, will it exist? You don't know. How can you tell</p> <p>11 us? The sidewalks, are they required? You don't know. So,</p> <p>12 we are here only as an obligation that you are performing by</p> <p>13 law. Do more than that. Give me more information because</p> <p>14 you kind of know what you want to build.</p> <p>15 MR. PIERCE: We can actually answer all of those</p> <p>16 questions. The sign is staying exactly where it is.</p> <p>17 MR. BRZDOWSKY: If there is another lane --</p> <p>18 MR. PIERCE: Another lane will not cause that sign</p> <p>19 to be relocated. There is enough room.</p> <p>20 MR. BRZDOWSKY: Sir, what is the distance between</p> <p>21 the road and the sign currently?</p> |
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| 1 | MR. PIERCE: Probably about 30 feet. | 49 | 1 | the landscaping to be remaining. | 50 |
| 2 | MR. BRZDASKY: You are wrong, sir. | | 2 | MS. BRZDASKY: On that drawing you are not | |
| 3 | MR. PIERCE: No. You got a width of at least 12 | | 3 | showing three lanes of traffic; are you? | |
| 4 | feet from the curb to the right-of-way line, and then the | | 4 | MR. STEERE: I am not but I have got 30 feet -- | |
| 5 | same distance to the sign. I know because I did the plan | | 5 | MR. BRZDASKY: Is the sidewalk required by | |
| 6 | for the sign. Don't tell me what I know or don't know about | | 6 | the County? | |
| 7 | that sign, where it is located. | | 7 | MR. STEERE: The sidewalk is on the plan, and | |
| 8 | MR. BRZDASKY: Will there be another lane of | | 8 | the trail that is on the side of the road remains where | |
| 9 | traffic added to that intersection? | | 9 | it is existing. We are not proposing to change that | |
| 10 | MR. PIERCE: There will be another lane of traffic | | 10 | trail at all. | |
| 11 | added, yes. | | 11 | MR. BRZDASKY: Once again, you are submitting | |
| 12 | MR. BRZDASKY: In or out or both directions? | | 12 | something that the County has not allowed thus far, and that | |
| 13 | MR. PIERCE: It will be a lane going out. | | 13 | is an integrated community shopping center which you showed | |
| 14 | MR. BRZDASKY: So, it will be a right hand turn | | 14 | once before at the school building. | |
| 15 | lane, a straight lane or what? | | 15 | You and I sat at the hearings before, at the DAC | |
| 16 | MR. STEERE: Currently, there is about 30 | | 16 | meetings, and now we're shown another plan. So, I don't | |
| 17 | feet from the existing curb to the sign, and the road | | 17 | know, Howard. Financially, it is good for you. | |
| 18 | itself is over 20-some feet wide. It may not be striped | | 18 | Technically, for the community, I can't tell you what | |
| 19 | for two lanes, but it is already almost two lanes wide; but | | 19 | it is going to do, but -- | |
| 20 | a widening of it, if we had to, would not affect that | | 20 | MR. KLEIN: I am not going to stand here and lie to | |
| 21 | sign by any means. It is integrated into this plan, into | | 21 | you and give you some made-up reason why we went to this | |

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| 1 | plan. It was primarily an economic decision for us. | 51 | 1 | MR. PIERCE: Let me jump in here. | 52 |
| 2 | No doubt about it. | | 2 | The proposal is to develop the property in phases | |
| 3 | MR. BRZDASKY: Currently, would the County allow | | 3 | with the Kohl's coming first. The Starbucks located on the | |
| 4 | those fast food stores to be there with the current | | 4 | north side would be left in a grassy area where my hand is | |
| 5 | law status? | | 5 | covering, and then the multi-use retail building would also | |
| 6 | MR. KLEIN: I am sure that fast food is permitted | | 6 | be left in grass when the Kohl's was developed. | |
| 7 | in a B-2 zone. | | 7 | Phase Two, the closest that we have happening is | |
| 8 | MR. PIERCE: It is permitted. We are not | | 8 | the Starbucks. They are negotiating to locate on the north | |
| 9 | showing any fast food stores on this site. | | 9 | side of the property. That would probably be Phase Two, and | |
| 10 | MR. BRZDASKY: The parking spots that you have, | | 10 | then the third phase would be the corner of Osborne Parkway | |
| 11 | are they currently just enough for the retail space of | | 11 | and 24. | |
| 12 | Kohl's requirement? | | 12 | MR. STEERE: It would not be a substitution | |
| 13 | MR. KLEIN: Actually, we are over what is required | | 13 | of buildings for parking spaces. | |
| 14 | by code for Kohl's, slightly over parked. | | 14 | MR. BRZDASKY: I only have one other question. | |
| 15 | MR. STEERE: You are talking about these areas | | 15 | Similar to the last presentation we had on | |
| 16 | here (indicating) where these pads are shown. | | 16 | this lot, we also had a hearing through the Hearing | |
| 17 | MR. BRZDASKY: Correct. | | 17 | Examiner, I guess, because it was an integrated shopping | |
| 18 | MR. STEERE: The DAC plan would just show green | | 18 | center. Will this particular endeavor require the | |
| 19 | space over this entire part. The parking for Kohl's is | | 19 | same where the community can, once again, go to the | |
| 20 | accommodated without a lot of these parking spaces. So, | | 20 | Hearing Examiner or will it go directly to DAC? | |
| 21 | Kohl's exceeds the parking spaces requirement. | | 21 | MR. SNEE: Go directly to DAC. No ICSC; so, | |

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| 1 | therefore, you do not go to the Board of Appeals. | 53 | 1 | MR. SNEE: They were an adjacent property | 54 |
| 2 | MR. BRZOWSKI: So, the only time you have is the | | 2 | owner. We gave them notice. | |
| 3 | current time to enlighten Howard what you would like to see | | 3 | MR. PIERCE: They haven't commented. | |
| 4 | at this location even though he doesn't have the legal right | | 4 | MR. SNEE: Yes, sir? | |
| 5 | to build this thing. | | 5 | MR. RUIGROK: David Ruigrok, 2044 Brandy Drive. | |
| 6 | Once it gets to DAC, my experience is it's a done | | 6 | A couple of comments about Kohl's and everybody | |
| 7 | deal. You have very little input to move on that unless you | | 7 | thinks it is a great store. It has been brought up about | |
| 8 | can really fight hard at the DAC meeting. | | 8 | the tractor/trailers. They load their stores at nighttime, | |
| 9 | MR. SNEE: Does anybody have a question who hasn't | | 9 | folks. So, there is going to be very little truck traffic | |
| 10 | spoken? Yes, sir? | | 10 | during the day. It will be at night when we are home, or | |
| 11 | MR. DEAN: Ray Dean, D-E-A-N, 2009 Hialeah Court. | | 11 | after hours. | |
| 12 | I was just curious why it is two stories. I have | | 12 | Also, there was a comment made about the school and | |
| 13 | never seen a two-story Kohl's. Is that extraordinarily | | 13 | the things going on behind the school. I think the other | |
| 14 | high? Is the footprint not big enough for a traditional | | 14 | part you need to consider, you know, is the fact that this | |
| 15 | one? | | 15 | traffic back there, it is at nighttime; but, also, you are | |
| 16 | MR. KLEIN: It is really by their preference. | | 16 | talking about kids skateboarding. There is an issue with | |
| 17 | They wanted to maintain their parking ratios, and they | | 17 | that and the tractor/trailers going in and out of the | |
| 18 | decided to go up to two stories. | | 18 | parking lot. | |
| 19 | MS. DEAN: Has the school had any input? I | | 19 | So, we have got a number of issues, and the other | |
| 20 | don't know what input they have. Has anyone talked to | | 20 | thing is, if we are all concerned about Kohl's going in | |
| 21 | the school? | | 21 | there, you can buy Kohl's stock and become a stockholder and | |

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| 1 | impact it that way, folks. It doesn't take -- their | 55 | 1 | So, I take exception to her. I think the group | 56 |
| 2 | stock is not 25 or 30 bucks. I don't know what it is | | 2 | here would have been a lot larger had the rest of the | |
| 3 | running today, but you can write to Kohl's and they listen | | 3 | neighborhood known about it for sure. That is the only | |
| 4 | to the community. You can impact it that way. | | 4 | thing. We don't have really a proper showing here. | |
| 5 | So, there's multiple ways of addressing this, but | | 5 | MR. SNEE: Yes, ma'am? | |
| 6 | just some things to keep in mind. | | 6 | MS. CHANEY: Melissa Chaney, 1919 Munsey Drive. | |
| 7 | MR. SNEE: Anybody else that hasn't spoken yet? | | 7 | I completely agree with George. When I went to the | |
| 8 | Yes, sir? | | 8 | last meeting, it was triple the size of this meeting. I | |
| 9 | MR. NYBORG: George Nyborg, N-Y-B-O-R-G, 1922 | | 9 | don't feel that we were notified. I got it through second | |
| 10 | Munsey Drive. | | 10 | emails. I tried to pass it on as much as I could. | |
| 11 | I take exception to what the lady said before about | | 11 | I just want to say that I strongly disagree with | |
| 12 | being properly notified. There is a lot of people in the | | 12 | putting the Kohl's there. I have supported Klein's. | |
| 13 | development that don't even go out Osborne. I saw it on | | 13 | Klein's is family market; but, after this, Giant is the same | |
| 14 | Sunday coming from church, the sign. I couldn't stop quick | | 14 | distance. I just want to state that for the record. | |
| 15 | enough. There were cars behind me. I had to go back at a | | 15 | MR. SNEE: Yes ma'am. | |
| 16 | later time and find out what it was. | | 16 | MS. MATULEVICH: Laurie Matulevich, 1933 | |
| 17 | The first meeting you had, there was only one | | 17 | Medallion Court. | |
| 18 | development notified, and it was hers; not ours. There are | | 18 | This is where I have a problem. When this was your | |
| 19 | seven or eight divisions back there. The second one, I was | | 19 | first financial opportunity, you took this plan and look at | |
| 20 | on vacation. So, I didn't get to that one. This one here, | | 20 | the difference in your presentation. You know, I am a very | |
| 21 | Dave was not notified of this meeting. He is the President. | | 21 | visual person, and I also like to see things of quality at I | |

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| <p>1 stated before. When I look at that, look at the</p> <p>2 dimension of these buildings, you can see it. You can feel</p> <p>3 it.</p> <p>4 I look at that and I say: It is a box. You can't</p> <p>5 -- rightfully so. You can't tell what those building</p> <p>6 materials are. We had input on that before.</p> <p>7 So, is Kohl's going to come in and tell you what</p> <p>8 they are going to do for our community? I guess that's the</p> <p>9 question. My other question is: Is this the same person</p> <p>10 that did this proposal as well as that one?</p> <p>11 MR. KLEIN: No. BCT, they are architectural</p> <p>12 designers. AWA, they also do architectural work, but they</p> <p>13 are the site engineers for this project.</p> <p>14 MR. PIERCE: Kohl's has their own architects</p> <p>15 working on this.</p> <p>16 MS. MATULEVICH: Was this actually through Kohl's</p> <p>17 people or was this in conjunction with Kohl's and your</p> <p>18 people?</p> <p>19 MR. PIERCE: Yes, with everybody collectively.</p> <p>20 MR. STEERE: One of the big differences you are</p> <p>21 seeing there in a plan like that one, those plans -- that</p> | 57 | <p>1 was set up because the Kleins were building a spec</p> <p>2 shopping center arrangement there. That is an integrated</p> <p>3 architectural piece where this is the Kohl's.</p> <p>4 They come in with their -- what they have and they</p> <p>5 tell us the specs for their building and we work them into</p> <p>6 the plans. So, we didn't approach the project in an art</p> <p>7 form like that. We approached it in a planning and design</p> <p>8 form to make it a functional site for their building, and we</p> <p>9 did a lot, a lot of work back and forth with different</p> <p>10 Kohl's footprints and building design. We worked pretty</p> <p>11 heavily with Kohl's on it.</p> <p>12 MS. MATULEVICH: Do you have them so we can see</p> <p>13 them?</p> <p>14 MR. STEERE: I don't have any of that here.</p> <p>15 Kohl's settled on this plan with this site and, you know,</p> <p>16 that is where we worked forward.</p> <p>17 To put it in a perspective like that would be a</p> <p>18 project that they would have to want to do. That is not a</p> <p>19 normal course of action for a development.</p> <p>20 MS. MATULEVICH: So, I think you can understand the</p> <p>21 disappointment.</p> | 58 |
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| <p>1 MR. STEERE: I understand it completely.</p> <p>2 MS. MATULEVICH: I guess my other statement is, too,</p> <p>3 that I want to make sure -- I do not believe this should be</p> <p>4 called a community integrated center.</p> <p>5 MR. SNEE: It's not.</p> <p>6 MS. MATULEVICH: It still says it on the paper, if I</p> <p>7 am correct.</p> <p>8 MR. SNEE: Kohl's.</p> <p>9 MS. MATULEVICH: Does anyone have their copy</p> <p>10 via e-mail? I can check that later.</p> <p>11 Basically, what you are saying right now is that we</p> <p>12 really have no input. This is your business decision. Is</p> <p>13 there any recourse that we have whatsoever?</p> <p>14 MR. KLEIN: I wouldn't say you have no input.</p> <p>15 Obviously, you are having input tonight and to the extent</p> <p>16 that we can try to work all your concerns and comments</p> <p>17 into the site plan, at this stage, I don't have any</p> <p>18 control over the architects, but if I can give feedback</p> <p>19 to Kohl's architects and see if we can incorporate that into</p> <p>20 the site plan before we go to the Development Advisory</p> <p>21 Committee. We are going to try to do that.</p> | 59 | <p>1 MR. SNEE: Yes, sir.</p> <p>2 MR. BRYANT: John Bryant, 1106 Osborne Parkway.</p> <p>3 At the last meeting when you tried to convince us</p> <p>4 all that that project was the way to go, I don't recall who</p> <p>5 said it, but part of your team basically said: we could</p> <p>6 have went with a box store, but we don't want it.</p> <p>7 Then you gave us all this opinion about why we</p> <p>8 shouldn't have a box store, and now you stand in front of us</p> <p>9 and tell us that you are putting up a box store for us.</p> <p>10 How is that supposed to make us happy when you put</p> <p>11 it down? You told us how great your family was for not</p> <p>12 doing that to us, and now you are standing before us telling</p> <p>13 us that you are putting it there because it is financial.</p> <p>14 MR. KLEIN: I understand what you are telling me.</p> <p>15 MR. BRYANT: It is pretty hard to listen to you</p> <p>16 guys talk and now you are putting in the financial</p> <p>17 box store that you tried to talk us out of.</p> <p>18 MR. KLEIN: The only answer I can give to that is</p> <p>19 the economic climate is very different than it was 18 months</p> <p>20 ago. It is much tougher.</p> <p>21 MR. BRYANT: So now a box store is now a better</p> | 60 |
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| <p>1 option for us?</p> <p>2 MR. KLEIN: I wouldn't pretend to stand here today</p> <p>3 and say it is better or worse. I can't substitute my</p> <p>4 judgment for yours.</p> <p>5 MR. BRYANT: But a year and a half ago you told us</p> <p>6 that a box store wouldn't make sense for our area and</p> <p>7 wouldn't do us justice; but the plan Laurie is holding</p> <p>8 would bring value to us and we would be happy in the end.</p> <p>9 MR. KLEIN: There were people that were concerned</p> <p>10 about the community shopping center, too. We had protestors</p> <p>11 throughout the process, people that were concerned about the</p> <p>12 licenses on the site, and there were a number of editorials</p> <p>13 written in the local press about potential for rats and</p> <p>14 dumpsters at the restaurants and the risk to the public of</p> <p>15 having licenses so close to the school. So, to say that</p> <p>16 everybody was happy with the end result of the ICSC wouldn't</p> <p>17 be accurate.</p> <p>18 MR. BRYANT: I didn't say everyone was happy, but</p> <p>19 you as a person told us basically this is the best plan</p> <p>20 because you don't want a box.</p> <p>21 MR. KLEIN: I am not saying this is the best plan.</p> | <p>61</p> | <p>1 I wouldn't pretend this is the best plan. This is</p> <p>2 the possible plan.</p> <p>3 MR. FERGUSON: Frank Ferguson, 903 Charisma.</p> <p>4 Correct me if I am wrong. The previous development</p> <p>5 where you were trying to get some Class B liquor licenses,</p> <p>6 they were not — you were not approved to do that or you</p> <p>7 were?</p> <p>8 MR. KLEIN: The process of getting a restaurant</p> <p>9 with a license not only involves committing to the lease on</p> <p>10 the pad, but there is a separate process for a liquor</p> <p>11 license. That obviously is a couple of steps. It's</p> <p>12 possible that we could go all the way through the process</p> <p>13 and have site plan approval for a restaurant, take the</p> <p>14 in-line space all the way through the development process,</p> <p>15 build it with the belief that we would be able to lease the</p> <p>16 restaurant, have signed lease deals for the restaurant pads</p> <p>17 and then the licensees would show up for the restaurant pads</p> <p>18 and there would be enough protestants there to say: Sorry.</p> <p>19 We don't want you to have a license here; and the Liquor</p> <p>20 Board, which is a largely appointed by the local government</p> <p>21 — and many of appointments are political — could say:</p> | <p>62</p> |
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| <p>1 Sorry. You built your shopping center, but now you</p> <p>2 can't have your restaurants with licenses.</p> <p>3 MR. FERGUSON: As attorneys know, that is probably</p> <p>4 a one in a — you know the odds of you getting a liquor</p> <p>5 license at that site within a thousand feet of that school.</p> <p>6 MR. KLEIN: I wouldn't say it is impossible, but</p> <p>7 there with a number of challenges that made it more</p> <p>8 difficult, especially the way the law was written.</p> <p>9 MR. FERGUSON: That would have been nice, but</p> <p>10 highly unlikely, very highly unlikely the way I have done my</p> <p>11 research on it.</p> <p>12 The only other thing would be, for the folks here</p> <p>13 to understand something that I dealt with in the past, as</p> <p>14 other Home Owners Associations being offered this community</p> <p>15 which, of course, is that, without this opportunity — well,</p> <p>16 anyway, we had an opportunity back when we lived over in</p> <p>17 Reisterstown, and the developers came in and they wanted to</p> <p>18 put a Wal-Mart into this undeveloped pad site, and initially</p> <p>19 there was extreme outrage and a fight that no way would they</p> <p>20 do it. Wal-Mart — they walked away. They said okay.</p> <p>21 The fight tapered off. There is a giant Target</p> | <p>63</p> | <p>1 there now. We moved after that, not just because</p> <p>2 of that reason; but here is the thing. The lesser of evils.</p> <p>3 Are they still going to have the Kohl's down there?</p> <p>4 A Kohl's, for who they are, if we are going to have</p> <p>5 a pad site here, which you know it is very unlikely that we</p> <p>6 are going to get the Little Avenue thing. A Kohl's is the</p> <p>7 lesser of the evils than having Target, Target, whatever,</p> <p>8 Wal-Mart, Home Depot, Lowe's, you name it. Something else</p> <p>9 will wind up there. It will.</p> <p>10 So, I think Kohl's, from having heard it from Mr.</p> <p>11 Klein and his attorneys has a very — they are pretty</p> <p>12 community — they want to make us happy. They are going to</p> <p>13 do the best they can and, from a business standpoint, Mr.</p> <p>14 Klein, he is not going to turn that into a park for our kids</p> <p>15 and the kids are going to have to cross the street to get to</p> <p>16 the park. So, cross your fingers.</p> <p>17 I am just — so, that is what I am seeing here for</p> <p>18 our community. I know everybody has got major concerns</p> <p>19 about traffic and so on but, if this is the worst thing that</p> <p>20 can be, trust me, it is not that bad.</p> <p>21 Target? Wal-Mart? What do you want there? Home</p> | <p>64</p> |
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| <p>1 Depot? What do you want there?</p> <p>2 MS. SMITH: How about the elderly who all reside</p> <p>3 on that opposite corner?</p> <p>4 MR. SNEE: To deviate for a minute; the guard</p> <p>5 indicated that the elevators have broken. If there are any</p> <p>6 special needs folks, please let me know so we can make</p> <p>7 arrangements. Okay?</p> <p>8 Yes, ma'am.</p> <p>9 MS. HARLOW: Diane Harlow, 1103 Osborne Parkway.</p> <p>10 The last thing I wrote here, we were just talking</p> <p>11 about the community center before, how it was planned. Did</p> <p>12 I hear you say that now we are going to have a vinyl fence</p> <p>13 along the back road? Is that what you said? I had vinyl</p> <p>14 fence on the back near the school.</p> <p>15 MR. SNEE: I don't think I mentioned a fence.</p> <p>16 MR. STEERE: I did. We have an eight-foot vinyl</p> <p>17 fence running along the top of the embankment behind this,</p> <p>18 from here (indicating) to here and then we would plant first</p> <p>19 pine trees near that fence, and then there would be more</p> <p>20 planting all the way down the hill to the school parking</p> <p>21 lot.</p> | <p>1 The full length of this actually is a</p> <p>2 combination of reforestation and buffering.</p> <p>3 MS. SMITH: Tricia Smith, 214 Woodbine Court.</p> <p>4 Another thing is the elderly on that corner. I</p> <p>5 can't tell you how many times you see those little guys on</p> <p>6 their scooters crossing that intersection, and they are</p> <p>7 expanding and it needs to be considered as well as the</p> <p>8 children.</p> <p>9 But another concern I have with living backing onto</p> <p>10 Osborne Parkway and being right near the school is what kind</p> <p>11 of lighting and signage is going to be out there on the</p> <p>12 side, the front of the building, whatever.</p> <p>13 MR. SNEE: I will go to the engineers.</p> <p>14 MR. PIERCE: The typical Kohl's store put their</p> <p>15 sign, I believe, right on the left side of the entrance, and</p> <p>16 they also may choose to put a sign on the Osborne Parkway</p> <p>17 side. I doubt it since all the traffic seems to be on 24;</p> <p>18 but there will be probably a directional sign at the Osborne</p> <p>19 Parkway entrance and another free-standing sign along 24.</p> <p>20 MS. SMITH: Do those lights go out at night?</p> <p>21 MR. STEERE: Kohl's has assured us that,</p> |
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| <p>1 other than minimal security lighting — and I don't</p> <p>2 know what the ratio is — that they shut down their parking</p> <p>3 lot lights and things at about midnight every night.</p> <p>4 MS. SMITH: Indicating the Kohl's sign?</p> <p>5 MR. STEERE: I don't know the specifics</p> <p>6 on that.</p> <p>7 MR. BRZOWSKY: I have a question. My name is</p> <p>8 Dave Brzowsky. The question I have is: If the County</p> <p>9 does not approve a two-story Kohl's meaning two levels,</p> <p>10 will that site maintain a large box store such as a Home</p> <p>11 Depot, a Lowe's a Kohl's, a Target, as I believe that is</p> <p>12 the reason that none are there currently. If a two-story</p> <p>13 is not granted, due to water pressure, fire, whatever,</p> <p>14 will Kohl's, as a full-fledged store, fit on that site?</p> <p>15 MR. STEERE: The other stores you were talking</p> <p>16 about, I think Mr. Snee mentioned before that you can't do</p> <p>17 the Home Depot or Lowe's without outside storage in this</p> <p>18 zoning district.</p> <p>19 MR. BRZOWSKY: My question was about a Kohl's</p> <p>20 requiring that same square footage and the parking required;</p> <p>21 would that box store fit on that ten-acre site?</p> | <p>1 MR. PIERCE: The answer is yes. The</p> <p>2 limitations might be that one of the pads out front may not</p> <p>3 be allowed to be developed because it would be more parking</p> <p>4 lots for Kohl's.</p> <p>5 MR. BRZOWSKY: I just don't understand. I am not a</p> <p>6 designer, but Kohl's — none that I have ever been to has a</p> <p>7 two-story site.</p> <p>8 MS. SMITH: Virginia has one.</p> <p>9 MR. BRZOWSKY: So the two story had nothing to do</p> <p>10 with the site. It is strictly a design feature of Kohl's?</p> <p>11 MR. PIERCE: It is a standard architectural</p> <p>12 footprint that they have used elsewhere in the country.</p> <p>13 MR. STEERE: The zoning didn't force this to</p> <p>14 be a two-story building.</p> <p>15 MR. BRZOWSKY: Could that lot maintain a box</p> <p>16 store such as a Kohl's?</p> <p>17 MR. STEERE: Yes. We believe it can. We didn't</p> <p>18 try to design that because Kohl's came —</p> <p>19 MR. BRZOWSKY: They submitted this to you.</p> <p>20 I understand that.</p> <p>21 MS. CHANEY: Melissa Chaney, 1919 Munsey Drive.</p> |
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| <p>1 Do you know if Kohl's, like the gentleman 69</p> <p>2 before said -- are they going to stock their stores in the</p> <p>3 evening? I know like by Home Depot, folks that live by</p> <p>4 there, and they hear trucks all the time in their community.</p> <p>5 Is that what Kohl's is going to do?</p> <p>6 MR. KLEIN: I really don't know. I can certainly</p> <p>7 talk to them about that.</p> <p>8 MR. RUIGROK: David Ruigrok, 2044 Brandy Drive.</p> <p>9 They do stock stores at night. I have seen ads</p> <p>10 for them. You see in the paper they're looking for</p> <p>11 overnight stockers.</p> <p>12 UNIDENTIFIED SPEAKER: But that is not when the</p> <p>13 trucks come. They don't come in at night. That is just</p> <p>14 when they stock the shelves. The trucks come in during the</p> <p>15 day.</p> <p>16 MR. SNEE: Yes ma'am.</p> <p>17 MS. MATULEVICH: I drove by there tonight and there</p> <p>18 were surveyors there. What are they surveying on the</p> <p>19 property at this time?</p> <p>20 MR. PIERCE: They are doing topographic surveys.</p> <p>21 MS. MATULEVICH: I am sure they are figuring all</p> | <p>1 this in because that plan has a lot more pavements, 70</p> <p>2 about the water and the runoff and all this because I think</p> <p>3 the only watershed is there on the other side of the school;</p> <p>4 is that correct? *</p> <p>5 MR. KLEIN: Stormwater management facility?</p> <p>6 MS. MATULEVICH: Yes.</p> <p>7 MR. PIERCE: That is correct.</p> <p>8 MS. MATULEVICH: It is still using that?</p> <p>9 MR. KLEIN: Yes.</p> <p>10 MS. MATULEVICH: From the layman's eye, that is a</p> <p>11 lot of pavement with a lot of runoff, a lot of snow removal.</p> <p>12 So, I just want to be sure.</p> <p>13 MR. KLEIN: The stormwater management facility when</p> <p>14 it was built by the Board of Education in the early 1990s</p> <p>15 was sized to accommodate both the Harford County Public</p> <p>16 School site and this site.</p> <p>17 MR. SNEE: We will meet the maximum impervious</p> <p>18 requirements. We will do the water quality and quantity.</p> <p>19 That was anticipated 18 years ago.</p> <p>20 MS. MATULEVICH: There is a heightened sense there</p> <p>21 especially now with what is going on with the Forest Hill</p> |
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| <p>1 Elementary School. 71</p> <p>2 MR. SNEE: That can be easily solved by running</p> <p>3 water to Forest Hill Elementary School. We don't have MIBES</p> <p>4 at this site. That is really comparing apples and oranges.</p> <p>5 MR. WINTERITZ: Andy W-I-N-T-E-R-N-I-T-Z, 821</p> <p>6 Delray Drive.</p> <p>7 With regards to the stormwater management pond, who</p> <p>8 maintains the one that is in now?</p> <p>9 MR. KLEIN: The one that is there now is currently</p> <p>10 maintained by the Board of Education. There is a joint</p> <p>11 maintenance agreement called REA between the partnership</p> <p>12 that owns this property and the School Board to share</p> <p>13 in the maintenance. So, to the extent that any work has to</p> <p>14 be done at the pond, it is shared between the Board and the</p> <p>15 developer.</p> <p>16 Typically, not a great deal of work is done in</p> <p>17 these ponds. There is grass cutting and clearing and</p> <p>18 clearing but, for the most part, they are self-sustained.</p> <p>19 Was there a new hand?</p> <p>20 MR. CYSYK: Kevin Cysyk, One Colgate Drive. I</p> <p>21 actually operate the assisted living facility. I thank you</p> | <p>1 for your concern for our residents. 72</p> <p>2 For the record, we are not expanding. That is a</p> <p>3 whole other company.</p> <p>4 What I was going to ask was, with the traffic that</p> <p>5 has been routed due to the fact that we are seeing much more</p> <p>6 increased traffic on Colgate Drive and I was wondering if</p> <p>7 you would consider when the traffic study is happening, if</p> <p>8 you have any control, expanding that traffic to include the</p> <p>9 impact on Colgate Drive as far as pedestrian traffic goes?</p> <p>10 MR. KLEIN: I have no doubt that the County and the</p> <p>11 State will require significant improvements, not just to the</p> <p>12 Parkway, but to the intersections of Osborne, Colgate and</p> <p>13 Route 24.</p> <p>14 I don't know if that also entails pedestrian</p> <p>15 improvement, but certainly there are going to be</p> <p>16 improvements.</p> <p>17 MR. CYSYK: Our residents will want to be there --</p> <p>18 MR. PIERCE: There are no sidewalks on the other</p> <p>19 side of Osborne Parkway --</p> <p>20 MR. CYSYK: I am concerned about especially</p> <p>21 crosswalks going across Colgate and just anything right</p> |
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| <p>1 there. It has gotten really tricky. When we opened, 73</p> <p>2 we opened in 1989 and there wasn't even a traffic light</p> <p>3 there. That was still sad. No bank, no nothing. Our whole</p> <p>4 climate has really changed.</p> <p>5 MS. TOMARCHIO: Casey Tomarchio, 1515 Forest View</p> <p>6 Drive.</p> <p>7 I can tell by your body language that you are not</p> <p>8 happy about this. You know --</p> <p>9 MR. KLEIN: It's fun.</p> <p>10 MS. TOMARCHIO: There is a difference between</p> <p>11 good developers and bad developers, and what the community</p> <p>12 feels is, when they are sold one bill of goods and</p> <p>13 it is taken away from them, there is a sense of not</p> <p>14 being able to trust, and it's really disheartening when</p> <p>15 there is a community and an established family in our</p> <p>16 community that does this to us.</p> <p>17 You all are trusted like anything. You say the</p> <p>18 Kleins' name around here, everybody trusts you. That's why</p> <p>19 you were able to sell that before. People trusted you.</p> <p>20 Now, you have changed the direction. This is</p> <p>21 probably really easy because it is one entity coming in to</p> | <p>1 build for. It makes financial sense, but it is 74</p> <p>2 really impacting your name in the community, and I have a</p> <p>3 concern about that because you guys do great work in our</p> <p>4 community and support a lot of organizations and we care</p> <p>5 about you guys; but this is disappointing.</p> <p>6 And as a whole, when we look at our developers and</p> <p>7 we look at what needs to be done in our community in order</p> <p>8 to get us to the place where our property values mean</p> <p>9 something, where we can look around and say we have a sense</p> <p>10 that this is a family community and we are proud of it, and</p> <p>11 then we say: well, down the street, there is a Kohl's -- it</p> <p>12 just doesn't fit. It doesn't make sense, and that is why it</p> <p>13 is hard to swallow.</p> <p>14 Quite frankly, I am disappointed, and I think stuff</p> <p>15 like this makes it harder for developers here in the County</p> <p>16 to get good things done for our community, and I am sorry</p> <p>17 for that, and I needed to let you know that.</p> <p>18 MR. KLEIN: I appreciate your comments.</p> <p>19 MR. SCHMIDER: My name is Eric Schmider, 1934</p> <p>20 Medallion Court.</p> <p>21 The parking lot -- I had an opportunity -- well, I</p> |
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| <p>1 am just a layman as far as the environment goes. 75</p> <p>2 Just seeing like the CVS and that new pavement that they</p> <p>3 have -- when it rains, apparently that petroleum product,</p> <p>4 you see a rainbow of like oil. I don't know if that is the</p> <p>5 term. How does that -- if this is going into stormwater</p> <p>6 management, obviously I am assuming this would be the same</p> <p>7 asphalt that is used in other parking lots. How does that</p> <p>8 impact -- I know there is ponds, waste management ponds. I</p> <p>9 know there is a pond off of Osborne. How does that affect</p> <p>10 the environment? Who does that study? I am a layman. I</p> <p>11 don't know.</p> <p>12 MR. KLEIN: I know there is a new series of</p> <p>13 infiltration requirements on stormwater management.</p> <p>14 We are going to have to meet enhanced standards for</p> <p>15 infiltration of the stormwater management facilities. You</p> <p>16 can explain that issue.</p> <p>17 MR. PIERCE: Howard is right. The drainage from</p> <p>18 Osborne Parkway, the school and the ballfields all end up in</p> <p>19 that stormwater management pond right now. All that water</p> <p>20 is collected. So, the road runoff from your neighborhood</p> <p>21 goes into it and the same issues have to be addressed.</p> | <p>1 So, the new criteria that we are designing 76</p> <p>2 ponds to now is, when it rains an inch and you get an inch</p> <p>3 of rain, which is a big thunderstorm, that volume of water</p> <p>4 that comes off your paved area is supposed to get filtered.</p> <p>5 That can be filtered through a sand filter, through an</p> <p>6 engineered design, or through a natural vegetative design.</p> <p>7 It is done one way or the other.</p> <p>8 The pond on the school property will probably be a</p> <p>9 natural vegetative design.</p> <p>10 MR. KLEIN: It is going to have to be upgraded</p> <p>11 substantially.</p> <p>12 MS. MATULEVICH: Respectfully, back to the comment</p> <p>13 about apples to oranges. I just wanted to be sure that you</p> <p>14 are aware that -- you are saying you will connect it to our</p> <p>15 water and sewer; is that correct?</p> <p>16 MR. KLEIN: No.</p> <p>17 MS. MATULEVICH: You will have your own supply.</p> <p>18 MR. KLEIN: That area is served by --</p> <p>19 MR. PIERCE: Which is the tower.</p> <p>20 MR. KLEIN: It is that tower.</p> <p>21 MR. STEERE: There is a water main along Route 24.</p> |
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| <p>1 You know, again, I have kids at Forest 2 Lakes. I don't anticipate them climbing the wall and 3 going into a construction site. I just don't.</p> <p>4 MS. MCALLISTER: You don't see what children 5 actually do and, in my job being a criminal prosecutor, I 6 see lots of things that people don't normally think about 7 that kids will or will not do; but also I don't necessarily 8 like your condescending tone towards me.</p> <p>9 MR. SNEE: But, really, I have tried to keep it 10 civil, but I saw you cross-examine Mr. Klein earlier and, 11 when the school was being built, also, they had those same 12 issues because the school was built with the residential 13 community right close by. It is not a unique circumstance.</p> <p>14 MS. MCALLISTER: A school provides value to a 15 residential community. Okay. This is not going to provide 16 any value to our community.</p> <p>17 So, if we are angry — and I'm sorry if it seemed 18 like I was cross-examining you; it was probably more of a 19 closing argument. But the people here are a bit angry.</p> <p>20 It seems that you sold one bill of goods 18 to 20 21 months ago. You got the same people in community on board</p> | 81 | <p>1 to support you. Once you get that passed, this is 2 what you bring us. Yes, people are angry. This is 3 irresponsible development. It is about the things — there 4 are probably better ways that this could be used.</p> <p>5 I probably wouldn't be raising all these issues 6 that I am other than the fact that this turns my stomach as 7 a resident of this county, as a voting resident of this 8 county, as a resident of this neighborhood. You have talked 9 to me and several times you have sort of said: Well, you 10 knew what was going on when you bought. I am sorry. When 11 buying a house, I am like the average person. I saw a 12 field. I didn't realize it would be a Kohl's five years 13 later.</p> <p>14 I don't appreciate that I recently got a thing from 15 the County saying your house is being valued at this, way 16 over. Your property taxes are going up; however, now I am 17 getting this in my backyard which is going to take that 18 value back down; but I am still going to be paying the 19 taxes.</p> <p>20 MR. REIN: Bart Rein, 222 Woodbine Court. 21 How do you feel that this project, while it meets</p> | 82 |
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| <p>1 the strict zoning requirements of the B-2 — how do 2 you feel that it fits into the Master Plan for Harford 3 County and, more specifically, for Forest Hill?</p> <p>4 MR. KLEIN: I don't know that I am prepared to 5 answer that question. I do not think I am qualified 6 to answer that question.</p> <p>7 MR. PIERCE: Based only on that was what was 8 developed by Mr. Osborne and his goal was to put another 9 supermarket there.</p> <p>10 MR. REIN: That is vastly different.</p> <p>11 MR. STEERE: The Master Plan shows most of Route 24 12 from the new Forest Hill intersections down through here 13 (indicating) to be business zoned and to be business uses; 14 the Kleins have a number of uses on the other side of the 15 road and then it picks up again down near the old C-Mart 16 and back.</p> <p>17 MR. REIN: Isn't it called a gateway to a rural 18 community?</p> <p>19 MR. STEERE: No. I don't believe that, but the 20 idea here — the way the County zoned things and master 21 planned them back when this was zoned which was on — Tory,</p> | 83 | <p>1 you probably know better than I. Was this the 2 original zoning?</p> <p>3 MR. PIERCE: In 1982. Right.</p> <p>4 MR. REIN: Did you guys consider the Master Plan 5 when you came up with this?</p> <p>6 MR. SNEE: The Master Plan precedes the zoning.</p> <p>7 MR. REIN: I am not talking about the zoning. They 8 are two different things. The zoning and what you are 9 actually putting there, like I said when I asked the 10 question, it conforms to the zoning. It conforms to the 11 zoning, but it also was supposed to conform to the Master 12 Plan. Isn't that something that the DAC Committee — isn't 13 it something that you should take into consideration before 14 you present something to them, whether or not it fits with 15 the Master Plan?</p> <p>16 MR. SNEE: I believe the 2004 plan is in effect 17 right now and, if you look at the Harford County Master Land 18 Use Plan, you will see it is chopped up into different 19 geographical areas and that B-2 zoning is consistent with 20 the underlying uses in that Master Land Use Plan.</p> <p>21 MR. REIN: But the Master Plan talks more about</p> | 84 |
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| 1 whether or not it is zoned for B-2, B-3, or B-1. 85 | 1 this way to serve the greater north Bel Air 86 |
| 2 MR. SNEE: No. It actually talks about what is the | 2 community. So, in that regard, this does fit the Master |
| 3 overall planned community, what types, and what types of | 3 Plan. |
| 4 intensities we should have in terms of commercial, | 4 MR. REIN: But it is not a community shopping |
| 5 residential, agricultural and then the zoning comes after | 5 center. |
| 6 that to make the zoning consistent with the underlying | 6 MR. STEERE: But there is community shopping across |
| 7 purpose of the plan. | 7 the street. There is community shopping all through the |
| 8 MR. STEERE: The Master Plan identifies Forest Hill | 8 area. So, the services are broad. It isn't just a shopping |
| 9 as a neighborhood center to serve commercial uses to serve | 9 center. It's an area of services, commercial services to |
| 10 the rural area in this immediate vicinity; so, this is more | 10 the residents of the County. |
| 11 or less a regional draw of this whole complex, not just this | 11 MR. REIN: But it doesn't promote rural life. |
| 12 site; but the whole complex of that piece of Route 24 up | 12 MR. STEERE: It is not intended to promote rural |
| 13 through Forest Hill is designed in the Master Plan to be a | 13 life. |
| 14 finger of commercial at the end of the development envelope | 14 MR. REIN: But the Master Plan does call for that |
| 15 that helped serve the rural community that can't support | 15 -- |
| 16 this type of intensity on its own, nor could it support this | 16 MR. SNEE: Not at this location. |
| 17 intensity on well and septic. | 17 MR. STEERE: This is an urban community. |
| 18 So, the intent here was that Forest Hill is a | 18 (Multiple conversations among audience members, |
| 19 community center, a neighborhood center, in the Master Plan | 19 unreportable.) |
| 20 for that purpose. It is not -- this site wasn't zoned this | 20 MR. PIERCE: I think they are referring to a |
| 21 way to serve Forest Lakes and Forest Glen. It was designed | 21 much larger -- |

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| 1 MR. SNEE: If you look, there is a map that 87 | 1 In regards to what goes there, whatever 88 |
| 2 accompanies that and it shows everything. | 2 good it does, 18 years ago I lived in Perry Hall for 30 |
| 3 MR. PIERCE: Forest Hill is the intersection of | 3 years, had the exact same scenario. The very front part of |
| 4 24 and Jarrettsville Road. That is Forest Hill. | 4 Glen Park Road was designated in that instance, though, as |
| 5 MR. REIN: This property is right there on | 5 development for homes. All the rest of it changed and an A |
| 6 this map, Forest Hill community area. This area is in | 6 and P went in. |
| 7 the Forest Hill community area, the area you were | 7 The worst thing to happen was the kids in the |
| 8 talking about. | 8 development, the graffiti from the children that lived in |
| 9 MR. SNEE: If you look at the intersection of | 9 the development -- I live across the street; I know. My |
| 10 24 and Osborne and look at the intensity and what the legend | 10 front picture window looked at the back of it. The children |
| 11 says -- | 11 constantly had graffiti all over the place, congregated in |
| 12 MR. REIN: The very first part of what I said was, | 12 the back. |
| 13 yes, it is zoned B-2 and, yes, this conforms to B-2, but | 13 A couple of times I went across and took pictures |
| 14 what you are putting there does not conform to what this | 14 of the Manager of A and P dumping these huge steel crates |
| 15 Master Plan says is the Forest Hill Community Area. A | 15 off the back. He followed me to my house and knocked on the |
| 16 two-story shopping -- a two-story department store does not | 16 door and wanted to know what I was doing, apologized. It |
| 17 serve agriculture. | 17 never happened again. |
| 18 MR. SNEE: I think we are going to agree to | 18 You have those conflicts. I don't know that a |
| 19 disagree because it is consistent with the Land Use Plan. | 19 grocery store -- that bring up whole other mess of things. |
| 20 Anything else? | 20 I am not saying that Kohl's is the best thing. I like the |
| 21 MR. NYBORG: George Nyborg, 1922 Munsey Drive. | 21 appearance of the other layout that they had, but I am |

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| <p>1 telling you that a grocery store may not be what you 89</p> <p>2 want. No offense to Klein's.</p> <p>3 What I am saying is he is saying that a grocery</p> <p>4 store or something like that would be more ideal</p> <p>5 community-wise. I am saying, backed up to the school, I</p> <p>6 don't think that a grocery store is the thing. That is just</p> <p>7 maybe cutting the losses as far as the other places.</p> <p>8 But we need to take care of our own children,</p> <p>9 believe me.</p> <p>10 MS. SMITH: Tricia Smith, 214 Woodbine Court.</p> <p>11 On that note, has any thought ever been given to,</p> <p>12 with the amount of children, with it being a community with</p> <p>13 the elderly on the opposite corner, anything not to the</p> <p>14 extent of Bel Air Athletic Club or the Arena Club, but</p> <p>15 something more designated to family activity, elderly</p> <p>16 activity? I don't think anybody is going to fight a</p> <p>17 Starbucks being in there. That is fine, but something</p> <p>18 community driven to get people out, give them something to</p> <p>19 do, give the kids somewhere after school they want to go to.</p> <p>20 It can still be a moneymaker.</p> <p>21 Any thought to anything like that?</p> | <p>1 MR. KLEIN: To respond right now I think 90</p> <p>2 would be a bit premature. It is certainly something to</p> <p>3 take into consideration. Obviously, I have partners I</p> <p>4 need to talk to, but I hear what you are saying.</p> <p>5 MR. SNEE: We have to wrap it up. Is there</p> <p>6 anything else before we go tonight?</p> <p>7 The process from here is we will get Penny to type</p> <p>8 up the transcript. We will be submitting a summary to the</p> <p>9 Department of Planning and Zoning. We will provide copies</p> <p>10 of the summary to you as long as you signed in. If you have</p> <p>11 not signed in, please do so with Sue Turner here.</p> <p>12 Then, as I said, if you have any further comments,</p> <p>13 you have my name and phone number, (410) 893-7500, Joseph</p> <p>14 Snee, S-N-E-E. Give me a call.</p> <p>15 Then, after that, the next process formally is the</p> <p>16 DAC submission. Again, it is similar in nature, although</p> <p>17 not exact, but the signs will be posted. Once again,</p> <p>18 adjacent property owners will be notified. It will be</p> <p>19 advertised in the paper and they are held the first and</p> <p>20 third Wednesdays in this room beginning at nine o'clock with</p> <p>21 any other development projects.</p> |
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| <p>1 Yes, sir? 91</p> <p>2 MR. BRYANT: John Bryant on Osborne Parkway.</p> <p>3 If everything goes to your plan and nothing that we</p> <p>4 have said changes anything on here, what is a prediction on</p> <p>5 when construction would start and when would it end?</p> <p>6 MR. KLEIN: I guess theoretically we could be -- we</p> <p>7 could have building permits for this project theoretically</p> <p>8 in 12 months.</p> <p>9 MR. BRYANT: And construction on something like</p> <p>10 that would take how long?</p> <p>11 MR. KLEIN: It wouldn't be under my control. It</p> <p>12 might be as long as a year.</p> <p>13 MS. SMITH: I am curious to get your thoughts now</p> <p>14 at the end of this meeting. Are you walking out of here</p> <p>15 feeling differently, thinking differently, or conflicted?</p> <p>16 MR. KLEIN: I certainly have heard your opposition</p> <p>17 to this proposal loud and clear. I have some people I need</p> <p>18 to talk to who are also members of the partnership that</p> <p>19 manage the site, and I can't tell you how those discussions</p> <p>20 are going to go; but I will certainly carry your concerns to</p> <p>21 the group.</p> | <p>1 Thank you. 92</p> <p>2 MR. SNEE: Thank you all for coming.</p> <p>3 (The meeting was concluded at 7:48 p.m.)</p> <p>4 * * * * *</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> |
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| <div>1 CERTIFICATE OF NOTARY PUBLIC/REPORTER 93</div> <div>2 STATE OF MARYLAND,</div> <div>3 COUNTY OF HARFORD, to wit;</div> <div>4 I, Penny L. Corneau, do hereby certify that the</div> <div>5 within proceedings were recorded stenographically by me and</div> <div>6 then transcribed from my notes in a true and accurate manner</div> <div>7 to the best of my knowledge, ability and belief.</div> <div>8 I further certify that I am not related to any of</div> <div>9 the parties to this proceeding and have no interest in its</div> <div>10 outcome.</div> <div>11 As witness, my Hand and Notarial Seal this 6th day</div> <div>12 of March, 2008, in Bel Air, Maryland.</div> <div>13</div> <div>14</div> <div>15 _____</div> <div>16 Penny L. Corneau, Notary Public</div> <div>17</div> <div>18 My Commission expires 4-1-08.</div> <div>19</div> <div>20</div> <div>21</div> | |
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